

Washington, Wednesday, January 13, 1913

The President

EXECUTIVE ORDER 9295

AMENDING EXECUTIVE ORDER NO. 9206 OF JULY 27, 1942, PRESCRIBING REGULATIONS GOVERNING THE GRANTING OF ALLOW-ANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN

By virtue of and pursuant to the authority vested in me by section 10 of the act of June 16, 1942, (Public Law 607-77th Congress), paragraph "C. Special" of Table I of Executive Order No. 9206 of July 27, 1942,1 prescribing regulations governing the granting of allowances for quarters and subsistence to enlisted men, is hereby amended by the insertion of the words "at not to exceed" after the words "(a) Subsistence" and "(b) Quarters", respectively, to read as follows:

C. Special—Enlisted men assigned to duty	1
where emergency conditions justify	i
such allowances, payable at the dis-	1
cretion and upon the determination	
of the head of the department con-	
cerned, in lieu of allowances at rates	1
otherwise specified herein:	l
(a) Subsistence, at not to exceed \$3.00	\$3.69
(b) Quarters, at not to exceed 2.00	2.00

This order shall become effective as of January 1, 1943.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE.

January 9, 1943.

[F. R. Doc. 43-554; Filed, January 11, 1943; 2:27 p. m.]

Regulations

TITLE 7-AGRICULTURE

Subtitle A-Office of the Secretary [Rationing Order C, Supp. Order 3]

PART 2-RATIONING OF FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 2.212 of Rationing Order C (7 F.R. 9647), It is hereby ordered, That:

17F.R. 5851.

§ 2.2E3 Supplementary Order 3. (a) (1) Any manufacturer of Schedule I equipment listed in this paragraph (a) of Supplementary Order No. 3 may transfer all of the Schedule I equipment listed in this paragraph (a) which was manufactured prior to the effective date of or in compliance with the provisions of War Production Board Order L-26 (7 F.R. 5396, 6148, 8460) and 80 percent of any such manufacturer's authorized quota of such equipment under War Production Board Order L-170 (7 F.R. 9863). No manufacturer shall physically move or transfer (unless for purposes of storage in the county in which such equipment is located), the remaining 20 percent of his quota of Schedule I cquipment listed in this paragraph (a), authorized to be manufactured under War Production Board Order L-170, except pursuant to further orders of the Secretary of Agriculture or of the Special War Board Assistant to the Secretary of Agriculture.

(2) Manufacturers, mail order houses, distributors, or dealers may accept transfers of any of the Schedule I equipment listed in this paragraph (a) which is authorized for transfer by subparagraph (1) of this paragraph (a) and may transfer any of the Schedule I equipment listed in this paragraph (a) which is authorized for transfer by subparagraph
(1) of this paragraph (a) to any other manufacturer, distributor, mail order house or dealer. Such acceptances of transfers and such transfers may be made without a purchase certificate, provided such acceptances and such transfers are not for use. Such manufacturers, distributors, mail order houses, or dealers may transfer such equipment for use by the transferee if a proper purchase certificate is presented.

(3) Each manufacturer shall keep records disclosing the number of items of each type of the Schedule I equipment listed in this paragraph (a) which he has transferred pursuant to this Supplementary Order No. 3. Such records shall disclose the persons to whom said equipment was transferred and such persons' addresses.

(Continued on next page)

CONTENTS

THE PRESIDENT	
Executive Order:	Page
	_ ~_ ~
Enlisted men; amendment of regulations governing the	
granting of allowances for	
quarters and subsistence_	469
_	403
REGULATIONS AND	
notices	
ACRICULTURAL MARKETHIC ADMINIS-	
CTRATION:	
Handling of milk in marketing	
areas:	450
Fall River, Mass Washington, D. C	472
Washington, D. C	504
Achieulture Department:	
Rationing of new farm machin-	
ery and equipment (2 docu-	0 -04
ments) 46 Environs Coal Division:	9,50±
Eliterations Com Division:	
Hearings:	-01
District Board 1 District Boards 7 and 8	501
District Boards 7 and 8	503
Dawling Coal Co	502
Minimum price schedules	
amended:	470
District 10 (2 documents)	476
District 14	477
CIVIL AERONAUTICS BOARD:	
Military test flights at altitudes	472
of more than 3,500 feet	214
COAST GUARD:	
Miscellaneous amendments; ap- proval of equipment	493
ENTOLIOLOGY AND PLANT QUARAN-	200
THE BUREAU:	
Plants imported for propagation	
purposes; quantity limits	472
FEDERAL TRADE COLUMNSION:	714
Valmor Products Co., et al.,	
hearing	505
FOOD DISTRIBUTION ADDITIONS TRATION:	633
Handling of milk in marketing	
areas:	
Fall River, Mass	472
Fall River, Mass Washington, D. C	504
Internal Revenue Bureau:	
Tobacco products: packaging.	
Tobacco products; packaging, rates on cigars and ciga- rettes, etc	
rettes. etc	473
NATIONAL WAR LABOR BOALD:	
Procedure for wage and salary	
adjustments by state, coun-	
ty and municipal govern-	
ments etc	475

(Continued on next page)



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Page

508

509

507

495

507

507

506

506 494

506

495

507

508

508

505

491

494

490

490

490

496

government of attended	0
CONTENTS—Continued	
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	Ι
Adjustments, etc.: Carter, F. C Cimaglia, Albert	
Cimaglia, Albert	
Dortch Stove Works	
Emmrich Coffee Co., Inc	
Fairmont Canning Co Fruit Belt Preserving Co	
Libby, McNeill and Libby	
Morrara Domenick	
Marrara, Domenick McKeon Canning Co	
Merrifield Manufacturing Co_	
Pennsylvania Salt Mfg. Co Roberts, W. H., and Co	
Roberts, W. H., and Co	
Powe James	
Schwartz, Herbert J Triangle Foundry Co	
Triangle Foundry Co	
Beef and veal carcasses and	
wholesale cuts (MPR 169,	
Am. 3) California; storage of grain and	
rice by certain warehouse	
companies (Supp. Reg. 14,	
Canned fruits and herries (MPR)	
185, Am. 5) Dairy products (MPR 289,	
Dairy products (MPR 289,	
Am. 1)	
Outerwear garments; women's,	
girls' and children's (MPR	
287, Am. 1) Rubber heels (MPR 200, Am. 4) _	
Wooden mine materials and in-	
ductrial blocking eastern	
dustrial blocking, eastern (MPR 218, Am. 1)	
PETROLEUM ADMINISTRATION FOR	
WAR:	
Petroleum supply; restrictions on delivery of motor fuel	
and fuel oil	
VETERANS' ADMINISTRATION:	
Adjudication of veterans'	
claims; evidence to estab-	

lish age or relationship____

CONTENTS—Continued

482

VETERANS' ADMINISTRATION—Con. Insurance; evidence to estab-	Page
lish date of birth, age or re- lationship War Production Board:	499
Controlled materials plan (CMP	
Reg. 1)	482
Lumber:	
Douglas fir (L-218)	481
Softwood (M-208)	479
Motor trucks, truck trailers and	
passenger carriers (L-1-g)_	478
Suspension orders:	
Dole, C. E., Building Materi-	
als	479
Mutual Cleaners, Inc	479
Tank cars; purchase, sales, ex-	
changes and common use of	
facilities (2 documents)	509

DAIRY FARM MACHINES AND EQUIPMENT

Farm milk coolers Immersion type. Surface or tubular type.

(b) (1) Any manufacturer of Schedule I equipment listed in this paragraph (b) of Supplementary Order No. 3 may transfer all of the Schedule I equipment listed in this paragraph (b) which was manufactured prior to the effective date of or in compliance with the provisions of War Production Board Order L-26 or which was or is manufactured in compliance with the provisions of War Production Board Order L-170.

(2) Manufacturers, mail order houses, distributors, or dealers may accept transfers of any of the Schedule I equipment listed in this paragraph (b)- and may transfer any of the Schedule I equipment listed in this paragraph (b) to any other manufacturer, distributor, mail order house or dealer. Such acceptances of transfers and such transfers may be made without a purchase certificate, provided such acceptances and such transfers are not for use. Such manufacturers, distributors, mail order houses, or dealers may transfer such equipment for use by the transferee if a proper purchase certificate is presented.

(3) Each manufacturer shall keep records disclosing the number of items of each type of the Schedule I equipment listed in this paragraph (b) which he has transferred pursuant to this Supplementary Order No. 3. Such records shall disclose the persons to whom said equipment was transferred and such persons' addresses.

IRRIGATION EQUIPMENT

Irrigation pumps: 492

Turbine pumps, 0 to 1,200 GPM.
Turbine pumps, 1,200 GPM and up, belt driven. Centrifugal pumps.

493

(c) (1) Any manufacturer may transfer Schedule I equipment from any of the following groups and may transfer Schedule II equipment from any of the following groups if such Schedule I or Schedule II equipment is listed in this paragraph (c) to Supplementary Order No. 3:

(i) New farm machinery and equipment which was in the physical possession of such manufacturer in its factory or plant stocks at the close of business October 31, 1942.

(ii) New farm machinery and equipment heretofore or hereafter manufactured by such manufacturer pursuant to the provisions of War Production Board Order L-170.

(iii) New farm machinery and equipment which was transferred other than for use from such manufacturer's factory or plant stocks pursuant to appeal granted by the Special War Board Assistant under Temporary Rationing Order B (7 F.R. 8723, 9067, 9475) or Rationing Order C.

Transfers made pursuant to this paragraph (c) are subject to the conditions that (a) compliance is had with the provisions of this paragraph (c) of this Supplementary Order No. 3 and with the provisions of Rationing Order-C, and (b) each such manufacturer has, before such equipment is transferred, received from the Special War Board Assistant a distribution plan directing the distribution of such equipment. No manufacturer shall transfer new farm machinery and equipment under the authority of this paragraph (c) of this Supplementary Order No. 3 unless such manufacturer has received a distribution plan covering such machinery and equipment.

(2) Any manufacturer who makes a transfer of machinery and equipment pursuant to this paragraph (c) of this Supplementary Order No. 3 shall, prior to the transfer of such machinery and equipment to a retail dealer, provide and cause to be attached securely to each item of machinery and equipment so transferred a tag, in the form prescribed by the Special War Board Assistant, which shall clearly state the name of the county and State in which, according to the distribution plan provided by the Special War Board Assistant for the manufacturer of such machinery and equipment, said machinery and equipment is directed for transfer for use. No person shall remove such tag from any item of machinery and equipment except as otherwise indicated in this order or change the wording or permit the wording thereon to become illegible without immediately replacing the tag in its original condition, except that a transferee for use may remove such tag upon delivery of Schedule I equipment to him pursuant to a purchase certificate for such equipment issued by the county farm rationing committee for the county named on such tag, and a transferee for use in the county named on the tag affixed to Schedule II equipment purchased by him may remove such tag upon delivery to him of such Schedule II equipment.

(3) No person shall transfer for use and no person shall accept a transfer for use of any Schedule I equipment authorized for transfer by this paragraph (c) of this Supplementary Order No. 3 unless such transfer is effected pursuant to a purchase certificate issued by the county farm rationing committee for the county named on the tag affixed to such Schedule I equipment in accordance with the provisions of this para-

graph (c) of this Supplementary Order No. 3.

No person shall transfer for use and no person shall accept a transfer for use of any Schedule II equipment authorized for transfer by this paragraph (c) of this Supplementary Order No. 3 unless such transfer is made to a transferee for use in the county named on the tag affixed to such Schedule II equipment in accordance with the provisions of this paragraph (c) of this Supplementary Order No. 3.

(4) Manufacturers, mail order houses, distributors, and dealers may accept transfers of machinery and equipment transferred pursuant to the provisions of this paragraph (c) of this Supplementary Order No. 3 and may transfer any machinery and equipment authorized for transfer by this paragraph (c) of this Supplementary Order No. 3 to any other manufacturer, mail order house, distributor or dealer. Such acceptances of transfers and such transfers may be made without a purchase certificate, provided such acceptances or such transfers are not for use. Such manufacturers, mail order houses, distributors, and dealers may transfer such Schedule I equipment to any person for use by the transferee if a proper purchase certificate issued by the county farm rationing committee for the county named on the tag affixed to such Schedule I equipment is presented. Such manufacturers, mail order houses, distributors, and dealers may transfer such Schedule II equipment to any person for use by the transferee without presentation of a purchase certificate, provided that such transfers shall be made only for use in the county named on the tag affixed to such equipment. Such manufacturers, mail order houses, distributors, and dealers, when they have on hand machinery and equipment which they wish to transfer for use by the transferee, shall forward to the county farm rationing committee for the county named on the tag on each item of such machinery and equipment that portion of such tag which is designated for transmittal to the county farm rationing committee by a person who desires to transfer new machinery and equipment for use.

(5) Each manufacturer, mail order house, distributor, and dealer shall keep records disclosing the number of items of each type of machinery and equipment which he has transferred pursuant to this paragraph (c) of this Supplementary Order No. 3. Such records shall disclose the number of items of each type of machinery and equipment transferred, the counties and States for which each such type of machinery and equipment was directed for transfer for

use, the persons to whom said machinery and equipment was transferred, and such persons' addresses.

SCHEDULE I EQUIPMENT

PLANTING, SEEDING AND FETTILEING MACHINERY

Planters, horce and tractor drawn: Two row, corn planters. Two row, corn and cotton planters. Three row and over, corn planters. Planters, tractor mounted: One row, corn planters.

One row, corn and cotton planters. Two row, corn planters.

Two row, corn and cotton planters. Three row and over, corn planters.

Three row and over, corn and catton planters.

Potato planters, home or tractor drawn. Transplanters, horse or tractor drawn. Listers with planting attachments, hores or tractor drawn:

Two row.

Three row and over.

Listers with planting attachments, tractor mounted:

One row. Two row.

Three row and over.

Beet drills, horse or tractor drawn.

Grain drills:

One horce, 3 or 5 dice drills.

Fertilizer drills, horse or tractor drawn. Plain drills, horse or tractor drawn.

Lime spreaders (cowers):
Wheeled type, horse or tractor drawn. Endgate type.

Truck body type. Manure spreaders:

Four wheeled, home or tractor drawn. Two wheeled, tractor drawn.

Moldboard plows, tractor drawn or mounted: One bottom, tractor drawn. Two bottom, tractor drawn. Three bottom, tractor drawn. Four bottom, tractor drawn. One bottom, tractor mounted. Two bottom, tractor mounted. Disc plows, tractor drawn or mounted: One disc, tractor drawn. Two disc, tractor drawn.

Three disc, tractor drawn. One disc, tractor mounted.

Two dice, tractor mounted. One way disc plows or tillers. Listers, horse or tractor drawn (Middlebusters without planting attachment):

Two row, heree or treetor drawn. Three row and larger, home or tractor drawn.

tractor mounted (Middlebusters Listers. without planting attachment):

One row, tractor mounted. Two row, tractor mounted.

Three row and larger, tractor mounted.

HARROWS, DOLLERS, FULVERIES

Harrows: Spike tooth harrow cections, herea or tractor drawn.

Spring tooth harrow sections, horse or tractor drawn.

Disc harrows, horce or tractor drawn. Disc harrows, tractor mounted. Soil pulverizers and packers.

CULTIVATORS AND WHEDERS

Cultivators, herce and tractor drawn: Ecet cultivator.

Field cultivator.

Cultivators, tractor mounted:

One row. Two 1007.

Three and four row.

Five row and over.

Retary hear, herce or tractor drawn.

Weeders:

Red weeders, horse or tractor drawn. Tooth weeders, home or tractor drawn.

SPRAYERS, DUSTING AND CREMAED HEATERS

Power oprayers. Traction sprayers.

Spray pumps, power.

Dusters:

Fower dusters with tractor mounted dusters. Traction ducters.

HARVESTING MACHINERY

Combines, harvester-threshers:

Width of cut, 6 feet and under.

Width of cut, over 6 feet, including 10 feet. Width of cut, over 10 feet.

Grain and rice binders:

Grain bin icrs, ground drive.

Grain binders, power taliz-off drive.

Rice binders.

Corn binders (row binder), horse or tractor drawn.

Corn pickers:

One ratt, mounted type.

Two row, mounted type. One row, pull type.

Two row, pull type. Field enclage harvesters, row type.

Potato diggers:

Walking plow type.

Horse or tractor.

Pea and bean harvesters, row type, horse or tractor.

Boot lifters, home or tractor.

HAVING MACHINERY

Mowers, ground drive, horse or tractor drawn. Mowers, power take-off drive: Trector mtd. or cemi-mtd.

Sully, dump.

Side delivery, incl. comb. side rakes and tedders.

Streep.

Hay leaders.

Stackers (incl. comb. sweep stackers).

Pick-up hay balera.

MACHINES FOR FREPARING CROFS FOR MARKET OR USE

Stationary threchard (grain, rice and alfalfa): Threehere, width of cylinder under 23 inches.

Threchers, width of cylinder 23 inches and

Stationary pea and bean threshers.

Eaciloge cutters (cilo fillers). Feed cutters, power.

Corn chellers:

Fower corn chellers, cylinder (150 bu. and under).

Power corn chellere, cylinder (over 150 bu.). Corn huckers and chredders:

Combination corn husber-shredders.

Com huchers. Corn chredders.

Stationary hay balers:

Engine or belt power.

MACHINES FOR PREPARING CROPS FOR MARKET OR USE-continued

Feed grinders and crushers:
Power, burr type.
Hammer and roughage mills.
Cleaners and graders, corn and grain.
Potato sorters and graders.

FARM ELEVATORS AND BLOWERS

Elevators (portable). Elevators (stationary). Blowers (grain and forage).

TRACTORS

Tractors, wheel type:
Tractors, wheel, special purpose, under 30 h. p.

Tractors, wheel, special purpose, 30 h. p. and over.

Tractors, wheel, all purpose, under 30 h. p. Tractors, wheel, all purpose, 30 h. p. and over.

ENGINES

Engines, one or more but under 5 h. p.: . Air cooled.

Water cooled.

Engines (five or more but under 10 h. p.):
Air cooled.

Water cooled.

FARM WAGONS AND TRUCKS

Wagons, farm w m Trucks, farm (not motortrucks).

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines.

Farm cream separators, capacity, 250 lbs. per hr. or less.

Farm cream separators, capacity 251 lbs. to 800 lbs. per hour.

SCHEDULE II EQUIPMENT

PLANTING, SEEDING AND FERTILIZING MACHINERY

Garden planters: Horse or tractor drawn.

CULTIVATORS AND WEEDERS

Cultivators, horse drawn: One row, riding, two horse. Two row and over, riding.

D. This Supplementary Order No. 3 shall be deemed to be part of Rationing Order C, and any violation of this Supplementary Order No. 3 shall constitute a violation of Rationing Order C.

E. This Supplementary Order No. 3 to Rationing Order C shall become effective January 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; War Production Board Dir. 1, Supp. Dir. 1-K, Supp. Dir. 1-P, 7 F.R. 562, 7280, 8856; Office of Price Administration Orders 28 and 30, 7 F.R. 7326, 8672, 9368)

Done at Washington, D. C., this 11th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] FRED S. WALLACE, Special War Board Assistant.

[F. R. Doc. 43-588; Filed, January 12, 1943; 9:29 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine

[B.E.P.Q. 523, Supplement 1]

PART 319—FOREIGN PLANT QUARANTINE NOTICES

ADDITIONAL QUANTITY LIMITS FOR PLANTS IMPORTED FOR PROPAGATION PURPOSES

P.Q.C.A. 278, revised, listed for representative genera of plants for propagation purposes the quantity limits which any individual might import during any current fiscal year. B.E.P.Q. 523, effective May 11, 1942, added a supplemental list of genera with their corresponding quantity limits, and provided for a 25 percent increase in the limits fixed by both the original and supplemental lists, effective July 1, 1942. It is now proposed to increase the quantity limits already authorized by 60 percent.

Chapter III, Title 7, Code of Federal Regulations, § 319.37–14a Administrative instructions; limitations on special permit plant material entered for propagation under § 319.37–14 [P.Q.C.A. 278, revised, July 14, 1931] as amended May 11, 1942, by B.E.P.Q. 523, is hereby amended further, effective January 16, 1943, to increase the quantity limits specified in § 319.37–14a for both the original list and the supplemental list effective May 11, 1942, by 60 percent.

(7 CFR § 319.37-14; sec. 7, 37 Stat. 317; 7 U.S.C. 160)

Effective: January 16, 1943. Done at Washington, D. C., this 2d day of January 1943.

[SEÁL] P. N. ANNAND, Chief.

[F. R. Doc. 43-584; Filed, January 12, 1943; 9:19 a. m.]

Chapter IX—Agricultural Marketing
Administration

PART 905—MILK IN THE FALL RIVER MAS-SACHUSETTS, MARKETING AREA

TERMINATION OF ORDER

Termination of the April 15, 1936, order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area, issued April 15, 1936, effective May 1, 1936 (7 CFR 905), which order was suspended as of May 31, 1940, is hereby

terminated, effective as of January 13, 1943.

Done at Washington, D. C., this 11th day of January 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL] THOMAS J. FLAVIN, Assistant to the Secretary of Agriculture.¹

[F. R. Doc. 43-583; Filed, January 12, 1943; 9:19 a. m.]

TITLE 14—CIVIL AVIATION

. Chapter I—Civil Aeronautics Board [Regulations, Serial No. 252]

MILITARY TEST FLIGHTS AT ALTITUDES OF MORE THAN 3500 FEET

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of December 1942. It appearing that:

(1) Military flights for ferry or test purposes under day contact conditions at an altitude of more than 3500 feet above the ground or water and within the limits of a civil airway are necessary for the successful prosecution of the war; and

(2) Such flights are presently prohibited by § 60.471 ° of the Civil Air Regulations unless the aircraft are equipped with two-way radio; and

(3) About fifty percent of the above aircraft do not have two-way radio equipment;

Now therefore, the Civil Aeronautics Board promulgates the following special regulation:

Notwithstanding the provisions of § 60.471 of the Civil Air Regulations, military aircraft not equipped with radio may make flights for ferry or test purposes under day contact conditions at an altitude of more than 3500 feet above the ground or water and within the limits of a civil airway: Provided, That:

(1) A flight plan stating the proposed altitude and time to destination is filed with, and approved by an airway traffle control center; and

(2) The flight is conducted in accordance with § 60.58 of the Civil Air Regulations.

This regulation shall become effective on December 26, 1942, and remain in effect until February 26, 1943.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN, Secretary.

[F. R. Doc. 43-571; Filed, January 13, 1943; 9:37 a. m.]

¹ Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2658) ² 6 F.R. 3100, 6256.

TITLE 26—INTERNAL REVENUE Chapter I-Bureau of Internal Revenue

Subchapter C-Miscellaneous Excise Taxes

IT.D. 52091

PART 140-TAXES ON TOBACCO, SNUFF, CI-GARS, CIGARETTES, CIGARETTE PAPERS AND Tubes, and Purchase and Sale of Leaf TOBACCO

PACKAGING; RATES ON CIGARS AND CIGARETTES,

Regulations 8, as made applicable to the Internal Revenue Code by Treasury Decision 4885, amended to conform to the Revenue Act of 1942.

In order to conform Regulations 8 [Part 140, Title 26, Code of Federal Regulations], relating to the taxes on tobacco, snuff, cigars, and cigarettes, also on cigarette papers and tubes and purchase and sale of leaf tobacco, to sections 601, 605 and 612 of the Revenue Act of 1942 (Public Law 753. 77th Congress), approved October 21, 1942, such regulations, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 [Chapter I, note, Title 26, Code of Federal Regulations, 1939 Sup., p. 1599], are amended, effective as of November 1, 1942, as follows:

PARAGRAPH 1. There is inserted immediately preceding article 45 [§ 140.45 of such Title 26], the following:

Sec. 2100. Packages. (Internal Revenue

All manufactured tobacco shall be put up and prepared by the manufacturer for sale, or removal for sale or consumption, in packages of the following description and in no other manner:

(a) Size. (1) Smoking and chewing to-bacco and snuff. All smoking tobacco, snuff, fine-cut chewing tobacco, all cut and granu-lated tobacco, all shorts, the refuse of finecut chewing, which has passed through a riddle of thirty-six meshes to the square inch, and all refuse, scraps, clippings, cuttings, and sweepings of tobacco, and all other kinds of -tobacco not otherwise provided for, in pack-ages containing one-eighth of an ounce, three-eighths of an ounce, and further packages with a difference between each package and the one next smaller of one-eighth of an ounce up to and including two ounces, and further packages with a difference between each package and the one next smaller of one-fourth of an ounce up to and including four ounces, and further packages with a difference between each package and the one next smaller of one ounce up to and including sixteen ounces: *Provided*, That snuff may, at the option of the manufacturer, be put up in bladders and in jars containing not exceeding twenty pounds.

(2) Cavendish, plug, and twist tobacco.-All cavendish, plug, and twist tobacco, in wooden packages not exceeding two hundred pounds net weight. And every such wooden package shall have printed or marked thereon the manufacturer's name and place of manufacture, the registered number of the manufactory, and the gross weight, the tare and

the net weight of the tobacco in each pack-

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942, Title VI.)

(d) One-eighth Ounce Differences Above Two Ounces and Not Above Three Ounces Permitted in Packaging of Tobacco and Snuff. Section 2100 (a) (1) (relating to permissible packages for tobacco and cnuff) is amended by striking out "with a difference between each package and the one next smaller of one-eighth of an ounce up to and including two ounces" and inserting in lieu thereof "with a difference between each package and the one next smaller of one-eighth of an ounce up to and including three ounces".

SEC. 601. EFFECTIVE PATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942: Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the chactment of this

Par. 2. Article 45 [§ 140.45 of such Title 26] is amended by changing the second paragraph to read as follows:

All smoking tobacco, snuff, fine-cut chewing tobacco, all cut and granulated tobacco, all shorts, the refuse of fine-cut chewing tobacco which has passed through a riddle of thirty-six meshes to the square inch, and all refuse, scraps, clippings, cuttings, and sweepings of tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing 16, 35, 12, 53, 34, 75, 1, 115, 114, 136, 112, 155, 134, 176, 2, 216, 214, 225, 214, 276, 3, 314, 312, 334, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, or 16 ounces.

PAR. 3. Article 50 [§ 140.50 of such Title 26) is amended by changing the first sentence of paragraph (a) to read as fol-

Strip stamps in sheets, in denomina-prescribed by law, to be used on packages of smoking tobacco, scrap chewing tobacco, fine-cut chewing tobacco, and all other kinds of tobacco not otherwise provided for, also small packages of cavendish, plug, twist, or leaf tobacco.

PAR. 4. There is inserted immediately preceding article 72 [§ 140.72 of such Title 261, the following:

SEC 605. CIGARS AND CIGARETTES. (Revenue . Act of 1942, Title VI.)

(a) Rates on eigars. Section 2000 (c) (1)

is amended to read as follows:

(c) Cigars and cigarettes. Upon eigars and eigarettes manufactured in or imported into the United States, which are sold by the manusacturer or imperier, or removed for con-sumption or cale, there chall be levied, collected, and paid the following taxes:

(1) Cigars. On cigars of all descriptions made of tobacco, or any substitute therefor,

and weighing not more than three pounds for thousand, 75 cents for thousand;

On eigare made of tobacco, or any substitute therefor, and weighing more than three pounds per thousand, if manufactured or imported to retail at not more than 2½ cents each, 82.50 per thousand:

If manufactures or imported to retail at more than 21/2 conts each and not more than

4 cents cach, 63.00 per thousand;

If manufactured or imported to retail at more than 4 cents each and not more than 6 cents each, 04.00 per thousand;

If manufactured or imported to retail at more than 6 cents cach and not more than 8 cents cash, 87.69 per thousand;

If manufactured or imported to retail at more than 8 cents each and not more than 15 conto coch, 810.60 per thousand; If manufactured or imported to retail at

more than 15 cents each and not more than 29 cents each, 815.00 per thousand;

If manufactured or imported to retail at more than 20 cents each, \$20 00 per thousand.

Whenever in this subsection reference is made to clears manufactured or imported to retail at not over a certain price each, then in determining the tax to be paid regard shall be had to the ordinary retail price of a single elgar in its principal market.

(b) Fates on eigarettes. Section 2009 (c) (2) is amended by striking out "33.25" and incerting in lieu thereof "33.59" and by striking out "07.60" and inserting in lieu thereof

"03.40". See. "11. Exercise date of this time. (Revenue Act of 1842, approved October 21, 1942; Title VI.)

This title chall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

PAR. 5. Article 72 [§ 140.72 of such Title 26], as amended by Treasury Decision 5037 approved November 13, 1941, is further amended as follows:

(A) Subdivision (a) is changed to read as follows:

The rates of tax on cigars and cigarettes imposed by section 2000 (c) of the Internal Revenue Code, as amended by section 605 (a) and (b) of the Revenue Act of 1942, effective November 1, 1942, are as follows:

Class	Cigars weighing most than 3 pounds for 1,009	Rate Tar 1,000
A B C D E F	If manufactured or imported to retail of— Not more than 2½ conto code. More than 2½ conto code and not more than 2 conto code and not more than 4 code code and not more than 6 code code and not more than 8 code code and not more than 8 code code and not more than 15 code code and not more than 25 code code.	\$2.80 3.00 4.00 7.00 13.00 20.00

Eate par 1,000

Cigars weighing not more than 8 pounds per 1,030... Cigarctics weighing not more than 3 pounds per 1,000

(B) Subdivision (b) is revised by changing "five" in the first sentence to "seven price", and by changing "and class E" in the third sentence to "class E, class F, and class G".

PAR. 6. Article 79 (a) [§ 140.79 (a) of such Title 26] is amended by changing "and class E" to "class E, class F, and class G".

Par. 7. Article 80 [§ 140.80 of such Title 26], second sentence, is amended by changing "and class E" to "class E, class F, and class G".

PAR. 8. Article 86 [§ 140.86 of such Title 26] is amended as follows:

(A) The last sentence of the first paragraph is changed to read as follows:

In all cases the label must be legible and bear the appropriate one of the following statements:

The cigars herein contained were manufactured to retail at not more than two and one-half cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than two and one-half cents each and not more than four cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than four cents each and not more than six cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than six cents each and not more than eight cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than eight cents each and not more than fifteen cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than fifteen cents each and not more than twenty cents each, and are so tax paid.

The cigars herein contained were manufactured to retail at more than twenty cents each and are so tax paid.

(B) The first sentence of the second paragraph is revised by changing "or E" to "E, F, or G".

PAR. 9. There is inserted immediately

Par. 9. There is inserted immediately preceding article 114 [§ 140.114 of such Title 26], the following:

Sec. 2112. Stamps. (Internal Revenue Code.)

(c) Supply. The stamps provided for under section 2002 (a) (3) shall be furnished to collectors requiring them, and collectors shall if there be any cigar or cigarette manufacturers within their respective districts, keep

on hand at all times a supply equal in amount to two months' sales thereof, and shall sell the same only to the cigar or cigarette manufacturers who have given bonds, as required by law, in their districts respectively, and to importers of cigars or cigarettes who are required to affix the same to imported cigars or cigarettes in the custody of cutsoms officers.

Sec. 612. Affixing of cigarette stamps in foreign countries. (Revenue Act of 1942, Title VI.)

Section 2112 (c) (relating to requirement of affixing cigarette stamps) is amended by inserting at the end thereof the following new sentence:

If the government of a foreign country permits the revenue stamps of such country to be affixed in the United States to cigarettes manufactured in the United States and imported into such foreign country, then, if cigarettes manufactured in such foreign country are imported into the United States from such foreign country, the importer may, under such rules and regulations as the Commissioner with the approval of the Secretary of the Treasury may prescribe, have the United States revenue stamps attached to such cigarettes in such foreign country.

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved October 21, 1942: Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of

Par. 10. Article 114 [§ 140.114 of such Title 26] is amended by adding at the end of the first paragraph, the following:

* * * In accordance with the provisions of § 140.128a, stamps to cover a particular importation of cigarettes may also be sold to the importer for attachment in the country of manufacture.

PAR. 11. There is inserted immediately preceding article 125 [§ 140.125 of such Title 26], the following:

Sec. 2112. STAMPS. (Internal Revenue Code.)

(c) Supply. The stamps provided for under section 2002 (a) (3) shall be furnished to collectors requiring them, and collectors shall, if there be any cigar or cigarette manufacturers within their respective districts, keep on hand at all times a supply equal in amount to two months' sales thereof, and shall sell the same only to the cigar or cigarette manufacturers who have given bonds, as required by law, in their districts respectively, and to importers of cigars or cigarettes who are required to affix the same to imported cigars or cigarettes in the custody of customs officers.

Sec. 612. Affixing of cigarette stamps in foreign countries. (Revenue Act of 1942, Title VI.)

Section 2112 (c) (relating to requirement of affixing cigarette stamps) is amended by inserting at the end thereof the following new sentence:

country permits the revenue stamps of such country to be affixed in the United States to cigarettes manufactured in the United States to cigarettes manufactured in the United States and imported into such foreign country, then, if cigarettes manufactured in such foreign country are imported into the United States from such foreign country, the importer may, under such rules and regulations as the Commissioner with the approval of the Secretary of the Treasury may prescribe, have the United States revenue stamps attached to such cigarettes in such foreign country.

SEC. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, approved Octobor 21, 1942; Title VI.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

Par. 12. Article 125 [§140.125 of such Title 261 is amended by inserting immediately after the fourth sentence "(But see §140.128a)".

Par. 13. Article 127 [§140.127 of such Title 26] is amended by changing the second sentence of the first paragraph to read as follows:

* * Except as provided for in § 140.128a, stamps for the payment of tax on imported tobacco, snuff, cigars, or cigarettes shall be sold by collectors of internal revenue only to owners, consignees, or importers upon receipt of Form 923 (Orders for stamps—Imported manufactures), properly filled in and certified by the proper customs officer having custody of such articles.

Par. 14. Article 128 [§ 140.128 of such Title 26] is amended by inserting immediately after the second sentence "(But see § 140.128a)".

Par. 15. Immediately after article 128 [\$140.128 of such Title 26], a new article is inserted as follows:

§140.128a Sale of cigarette stamps to importers for affixture in foreign countries. Under section 2112 (c) of the Internal Revenue Code, as amended by section 612 of the Revenue Act of 1942, stamps in payment of the tax on imported cigarettes may be affixed, on or after November 1, 1942, to cigarettes in the foreign country in which manufactured, Provided, The laws of such foreign country grant a like privilege in respect of cigarettes manufactured in the United States exported to such foreign country.

An importer desiring to have the stamps in payment of the tax on imported cigarettes affixed to the cigarettes in the foreign country from whence imported shall file with any collector of internal revenue an order for the necessary stamps. No particular form for such order is prescribed, but the order shall show (1) the name and address of the person by whom the cigarettes are to be imported, (2) the name of the foreign

country from whence the cigarettes will be imported, (3) the class and quantity of cigarettes to be imported, and (4) the number and value of the stamps of each denomination, the total value of all the stamps and how they should be sent to the purchaser. Each order must be accompanied by the proper remittance for the full amount of the order. Unless otherwise directed, stamps will be sent by ordinary mail at the risk of purchaser. If ordered to be sent by registered mail, the order must be accompanied by 15 cents additional to pay registry fee.

Upon receipt of the order and remittance specified in the preceding paragraph, the collector may fill the order, provided it has been established by official ruling that the foreign country named in the order permits its revenue stamps to be affixed in the United States to cigarettes manufactured in this country and imported into such foreign country. In all other cases, the collector shall transmit the order to the Commissioner of Internal Revenue for approval.

Stamps in payment of the tax on imported cigarettes affixed to the cigarettes in the foreign country from whence imported, may be cancelled in such foreign country in lieu of cancellation while the cigarettes are in customs custody as required by § 140.128. In all other respects, the importation of such cigarettes must be made in compliance with all provisions of law and these regulations relating to the importation of cigarettes from foreign countries. [Art. 128½.]

Par. 16. There is inserted immediately preceding article 192 [§ 140.192 of such Title 26], the following:

Sec. 2197. Thereforial extent of LAW. (Internal Revenue Code.)

(a) In general. The internal revenue laws imposing taxes on tobacco, snuff, cigars, or cigarettes shall be held to extend to such articles produced anywhere within the exterior boundaries of the United States, whether the same be within a collection district or not.

(b) Exportation free of internal revenue tax. The shipment or delivery of manufactured tobacco, snuff, cigars, or cigarettes, for consumption beyond the jurisdiction of the internal revenue laws of the United States, as defined by subsection (a), shall be deemed exportation within the meaning of the internal revenue laws applicable to the exportation of such articles without payment of internal revenue tax.

Sec. 605. Cigass and cigasettes. (Revenue Act of 1942, Title VI.)

(e) Exportation of cigarette gapers and tubes free of internal revenue tax. Section 2197 (b) (relating to tax-free exportation of tobacco) is amended by striking out "or cigarettes" and inserting in lieu thereof "cigarettes, or cigarette papers or tubes".

Sec. 601. Inventor page of the there. (Revenue Act of 1942, approved October 21, 1942; Title VI.)

This title chall take effect on the first day of the first month which begins more than 10 days after the date of the encetment of this Act.

PAR. 17. Article 192 [§ 140.192 of such Title 26] is amended by adding a new paragraph at the end thereof as follows:

The shipment or delivery of cigarette papers or tubes under section 2197 (b) of the Internal Revenue Code, as amended by section 605 (e) of the Revenue Act of 1942, for use as sea stores without payment of tax, shall be made in accordance with the provisions of Regulations 76.

(Sec. 3791 of the Internal Revenue Code (53 Stat., 467; 26 U. S. C., 1940 ed., 3791); and secs. 601, 605, and 612 of the Revenue Act of 1942 (Pub. Law 753, 77th Cong.))

[SEAL] GUY T. HELVELING, Commissioner of Internal Revenue.

Approved: January 8, 1943.

John L. Sullivan, Acting Secretary of the Treasury.

[F. R. Doc. 43-528; Filed, January 11, 1943; 11:63 a. m.]

TITLE 29-LABOR

Chapter VI-National War Labor Board

PART 803-GENERAL ORDERS

[General Order No. 12-A]

PROCEDURE FOR WAGE AND SALARY ADJUST-MENTS BY STATE, COUNTY, AND MUNICI-PAL GOVERNMENTS AND AGENCIES THEREOF

§ 803.12a General Order No. 12-A. General Order No. 12, adopted November 12, 1942, is hereby revoked as of December 26, 1942, and in its stead there are adopted the procedures set forth in the Joint Statement of the National War Labor Board and the Commissioner of Internal Revenue, dated December 26, 1942, and attached hereto and made a part hereof.

Joint Statilitist of the National Wan Labon Board and the Commissioner of Internal Revenue

PROCEDURE FOR WASE AND SALARY ADJUSTMENTS BY STATE, COUNTY, AND MUNICIPAL COVERN-MENTS AND ASSISCES THEREOF

December 26, 1942.

On November 12, 1942, the National War Labor Board and the Commissioner of Internal Revenue, purcuant to the Regulations of the Economic Stabilization Director, extablished a procedure whereby adjustments in salaries or wages of state, county, or municipal employees would be submitted to the Board or the Commissioner, as the case might be, for approval. It was provided that each such adjustment would be deemed approved upon certification by the particular state or local agency that the adjustment was necessary "to correct maladjustment, or to correct inequalities or gross inequities as contemplated by Executive Order No. 5250". It was further provided that if a proposed adjustment would rake vages or salaries above the prevailing level of compensation for similar corriecs in the area or community, application for approval chould be filed with the Board or the Commissioner, as the case might be.

Since the announcement of the foregoing precedure was made, a multitude of certificates of wage or colary adjustments have been received from state and local agencies. In the course of a detailed examination of the facts set forth in these certificates, neither the Board nor the Commissioner has had creation to question any adjustments made by any of the state or local agencies. In the light of this experience, which indicates that statutory budgetary controls are operating to heep calary and wage movements of state and local agencies within very nerrow bounds, the Board and the Commissioner have determined to make the following changes in procedure effective forthwith:

1. In all cases where an adjustment in wages or calaries by a State, county or municipal agency is necessary to correct maindigustments, inequalities or gross inequities as contemplated by Executive Order No. 9259, and would not raise calaries or wages above the prevailing level of compensation for similar cervices in the area or community, the adjustments will be deemed approved without the necessity of filing critificates for the information of the Brard or Commissioner.

2. In all other cases, the state or local agency is requested to take the matter up with the Joint Committee on Sciences and Wages, Department of Labor Building, Washington, D. C. Take Committee, with the exproval of the Economic Stabilization Director, has been established by the Board and the Commissioner, and has been authorized to advice state and local agencies in these cases whether or not the particular adjustments are in accordance with the national stabilization policy. While the Committee in the performance of its functions will not attempt to exercise any legal sanctions, Congress, in the Act of October 2, 1242, clearly intended that all employers and all employees would be covered by the national stabilization policy, and cince millions of public employees are engaged in the same kind of work as private employees, the duty of public employers to conform to that policy is as plain as that of private employers. The way in which governmental agencies have been cooperating with the Board and the Commissioner to date indicates their desire to discharge that duty to the came extent as it required of non-governmental employers.

(E.O. 9250, 7 F.R. 7871)

Adopted January 6, 1943.

L. GARRISON,
Executive Director
and General Counsel.

[P. E. Drc. 43-553; Filed, January 11, 1943; 4:25 p. m.]

Special prices—(a) (2) Railroad locomotive fuel prices—Supplement R-II

TITLE 30-MINERAL RESOURCES

Chapter III—Bituminous Coal Division [Docket No. A-1783]

Part 330—Minimum Price Schedule, DISTRICT NO. 10

ORDER GRANTING RELIEF, ETC.

Board No. 10 for establishment of price conditionally providing for final relief in the matter of the petition of District classifications and minimum prices for granting temporary relief Mine Index No. 658.

of 1937, having been duly filed with this tions and minimum prices for the coals tion 4 II (d) of the Bituminous Coal Act of the Blakley Mine, Mine Index No. 658, of the Blakley Coal Company, for All An original petition, pursuant to sec-Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifica-Shipments Except Truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

just prices) is amended by adding thereto Supplement R-II, which suppleopposition to the original petition in the above-entitled matter and applications ments are hereinafter set forth and hereby made a part hereof. rary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursu-Bituminous Coal Division in Proceedings It is further ordered, That pleadings in erning Practice and Procedure before the to stay, terminate or modify the tempoant to the Rules and Regulations Gov-Instituted Fursuant to section 4 II (d) of the Bituminous Coal Act of 1937. temporary relief is granted as foll Commencing forthwith, § 330.4 (*groups*) is amended by adding the Supplement R-I, and § 330.10 (*Sp* prices—(a) (2) Railroad locom tuel prices) is amended by ac It is ordered, That, pending fi position of the above-entitled poses of the Act

It is further ordered, That the relief herein granted shall become final sixty

(60) days from the date of this order, unless it shall otherwise be ordered. Dated: December 31, 1942. [SEAL]

DAN H. WHEELER

Noze: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto. TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.4 Price groups—Supplement R-I

Rall- road	CB&Q.
Shipping point	Norris, Ill.
niglio idgioiT quoig	16
Mine index Mo.	8291
Mine	Blakley (Norris)
Producer	Blakley Coal Co. (Wm. Blakley)
Price group No.	25

¹ Mine Index No. 653 shall be included in Price Group 25 and shall take the same f. o. b. mine prices as other mines in Price Group 25, Schedule No. 1, District No. 10, for All Shipments Except Truck, on all size groups and for shipment to all market archs and for all uses exclusive of railroad locemotive fuel; provided, however, that these f. o. b. mine prices apply on board transportation facilities at Nortis, III.

\$ 330.10 ۰, The following action being deemed necessary in order to effectuate the pur-

Shipping point	Norris, III
algiro tagierT quorg	16
oM zebal saiM	833
Mine	Blakley (Norris)
Producer	Blakley Coal Co. (Wm. Blakley)
Price group No.	श्च
inal dis- matter, follows: t (Price thereto	omotive

The railroad locomotive fuel price shall be: Mine Run \$2.00—Screenings \$1.40 f.o.b. cars Norris, Ill.

OB&Q.

Rall-road

[F. R. Doc. 43-549; Filed, January 11, 1943; 12:22 p. m.]

Part 330—Minimum Price Schedule, ORDER GRANTING RELIEF, ETC. 0 [Docket No. A-1792] DISTRICT No. 10

in the matter of the petition of District Board No. 10 for establishment of price Order granting temporary relief and conditionally providing for final relief classifications and minimum prices for Mine Index Nos. 1614 and 1615.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Menard Coal Co. Mine, Mine Index No. 1614, of Menard Coal Company and of the Forden Mine, Mine Index No.

granting of temporary relief in the man-1615, of Forden & Bliss; and It appearing that a reasonable showing of necessity has been made for the ner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the pur-

poses of the Act

by adding thereto Supplement T, which ment into all market areas) is amended supplement is hereinafter set forth and Commencing forthwith, § 330.25 (Gentemporary relief is granted as follows: It is ordered, That, pending final disposition of the above-entitled matter eral prices in cents per net ton for ship hereby made a part hereof.

pursuant to the Rules and Regulations It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five Governing Practice and Procedure before ceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of days from the date of this order, the Bituminous Coal Division in Pro-(45)

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered. Dated: December 31, 1942. unless it

DAN H. WHEELER, [SEAL] Temporary and Conditionally Final Hefective Minimum Prices for District No. 10 Norz: The material contained in this supplement is to be read in the light of the classifica-tions, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

General prices in cents per net ton for shipment into all market areas— Supplement T \$ 330,25

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Code member index	-	Bection C	Menord Cos Co. (John 1914 Menord Coal Co	Forden & Bltz (Ben H. 1015 FordenForden).

[F. R. Doc. 43-550; Filed, January 11, 1943; 12:23 p. m.]

Par 334-Minimum Price Schedule, [Docket No. A-1731] DISTRICT NO. 14

Order granting temporary relief and conditionally providing for final relief ORDER GRANTING RELIEF, ETC.

price classifications and minimum prices in the matter of the petition of District Board No. 14 for the establishment of for certain mines in District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with

cations and minimum prices for the this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classificoals of certain mines in District No. 14;

It appearing that a reasonable show-

Act of 1937. ing of necessity has been made for the granting of temporary fellef in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-

The following action being deemed necessary in order to effectuate the purentitled matter; and poses of the Act;

position of the above-entitled matter, It is ordered, That, pending final

has falled to file a properly executed

code membership acceptance. Accordingly, until such time as a properly executed code membership acceptance is price classifications or minimum prices will be established for the coals of the

filed with the Division by Mr. Slusser, no

Division disclose that Henry C. Slusser

Wine of Henry C. Slusser, for both rail and truck shipments, the records of the

be established for the coals of the Slusser

temporary relief is granted as follows: Commencing forthwith, § 334.5 (Alpha-betical list of code members) is amended by adding thereto Supplement R, and § 334.24 (General prices for supment supplements are hereinafter set forth market areas) is amended by thereto Supplement T, and hereby made a part hereof. into all adding

tions to stay, terminate or modify the in opposition to the original petition in the above-entitled matter and applica*lurther ordered,* That pleadings

pursuant to the Rules and Regulations fore the Bituminous Coal Division in Governing Practice and Procedure be-Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal days from the date of this order,

temporary relief herein granted may be filed with the Division within forty-five

It is further ordered, That the rellef herein granted shall become final slxty (60) days from the date of this order, Although petitioner requested that unless it shall otherwise be ordered.

price classifications and minimum prices

Dated: December 31, 1942. Sluccer Mine.

DAN H. WINCELER,

Temporany and Compensative Final Effective Mineral Prices for District No. 14

Nors: The material centained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Limimum Price Schedule for District No. 14 and supplements thereto. Alphabetteal list of code members—Supplement R FOR ALL SHIPPERNIES DISCEPT TRUCK 5 334.5

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§ 334.24 General prices for shipment into all market areas—Supplement T FOR TRUCK SHIPMENTS

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[F. R. Doc. 43-548; Filed, January 11, 1943; 12:22 p. m.]

TITLE 32-NATIONAL DEFENSE Chapter IX—War Production Board

Part 976-Motor Trucks, Truck Trail-Subchapter B-Director General for Operations ERS AND PASSENGER CARRIERS

[Supplementary Limitation Order L-1-g as Amended Jan. 6, 1943 1]

ated a shortage in the supply of rubber, steel, chromium, nickel and other critical materials required for the production of truck-trailers for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote The fulfilment of requirements for the defense of the United States having crethe national defense:

Limitation Order L-1-g [7 F.R. 9609]—(a) Definitions. For the purposes of this order: Supplementary \$ 976.17

semi-trailer or full trailer designed for sons, or the chassis therefor, but does not include attachment third-axles, whether (1) shall take effect December 1, (1) "Truck trailer" means a complete the transportation of property or per-This paragraph dead or power-driven. 6

senger transportation, having a seating capacity of eleven (11) or more persons, or the chassis or body therefor. (2) "Passenger carrier" means a complete motor or electrical coach for pas-1942.

"Producer" means any individual, partnership, association, corporation or other form of business enterprise enL-1-g as amended December 11, 1942, which appeared in the Federal Register of January 8, 1943, page 310, and reflects the order in its completed form as of January 6, 1943.

ment 1 to Supplementary Limitation Order

*This document is a restatement of Amend-

gaged in the manufacture of trucktrailers.

heretofore issued by the War Production Board or of the terms of any contract heretofore or hereafter entered into by trailers after June 30, 1942. Except to under paragraph (c) below, effective July 1, 1942, producers of truck-trailers shall not manufacture any such vehicles, irrespective of the provisions of any order (b) Prohibition of production of truckthe extent that production is permitted any such producers.

any producer from manufacturing and delivering truck-trailers pursuant to contracts or orders for delivery to or for the (c) Exceptions in favor of War Agen-es. Nothing in this order shall prevent account of the following: cies.

(1) The Army or Navy of the United States or the United States Maritime Commission, the War Shipping Adminand Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; istration, the Panama Canal, the Coast

oslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its lowing countries: Belgium, China, Czech-(2) The government of any of the fol-Dominions, Crown Colonies and protectorates, and Yugoslavia;

sphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-(3) Any agency of the United States Government, for delivery to, or for the try listed above, or any other country, including those in the Western Hemiaccount of, the government of any coun-Lease Act)

(d) Passenger carrier production under Limitation Order L-101. As of June 23, 1942 the production of passenger carriers shall in no way be regulated by this order, but shall in all respects be regulated and

controlled by General Limitation Order L-101, issued May 21, 1942.

(e) Records. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) Reports. All persons affected by this order, shall execute and file with the War Production Board such report and questionnaires as the Board shall from tionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board. time to time request. No reports or ques-

(g) Audit and inspection. All records required to be kept by this order shall

upon request, he submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may or using, materials under priority control and may be deprived of priorities be prohibited from making or obtaining further deliveries of, or from processing assistance.

and unreasonable hardship upon him, may appeal for relief by addressing a letter to the Director General for Opera-(i) Appeals. Any person affected by this order who considers that compliance herewith would work an exceptional

General for Operations may thereupon tions, Ref.: L-1-g, Washington, D. C., setting forth the pertinent facts and the reasons why such person considers that The Director take such action as he deems appropriate he is entitled to relief.

otherwise directed, be addressed to: War tions concerning this order shall unless Production Board, Automotive Division, (j) Communications. All communica-Washington, D. C. Ref.: L-1-g.

paragraph (b) of this order, producers trailers in such quantities, of such types and within such periods of time as may cally authorized by the Director General (k) Authorized production of trailers. (1) Notwithstanding the provisions of may manufacture a total of 800 tank hereafter from time to time be specififor Operations.

trailers in such quantities, of such types and within such periods of time as he (1), the Director General for Operations (2) In addition to the production aucally authorize further production of thorized in the preceding subparagrapi may hereafter from time to time specifimay determine. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

ERNEST KANZLER

Issued this 6th day of January 1943. Director General for Operations. [F. R. Doc. 43-555; Filed, Jonuary 11, 1943; 2:23 p. m.]

PART 1010—SUSPENSION ORDERS [Suspension Order S-210]

LIUTUAL CLEANERS, INC.

Mutual Cleaners, Inc., a New Jersey corporation doing business at 181 Culver Avenue, Jersey City, New Jersey, is a dry cleaning and tailoring establishment. On June 19, 1942 Mutual Cleaners, Inc. purchased and received delivery of ten reconditioned tailor's pressing machines, each with a value in excess of \$100.00, without the express authorization of the Director of Industry Operations. The purchase and acceptance of delivery of these machines by Mutual Cleaners, Inc. constituted a wilful violation of General Limitation Order L-91.

This violation of General Limitation Order L-91 has hampered and impeded the war effort of the United States. In view of the foregoing: It is hereby or-

dered, That:

§ 1010.210 Suspension Order S-210.

(a) Mutual Cleaners, Inc., shall not use for any purpose the ten steam pressing machines, Singer Model, Serial Nos. 2615, 2630, 2632, 2625, 2631, 2634, 2635, 2636, 2642, 2643, which it purchased on June 19, 1942, except as specifically authorized by the Director Ganeral for Operations: Provided, however, That nothing contained in this paragraph shall prohibit Mutual Cleaners, Inc. from selling or otherwise disposing of any of such machines in accordance with the specific authorization of the Director General for Operations.

(b) For a period of three months from the effective date of this order, deliveries of material to Mutual Cleaners, Inc., its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General forces.

eral for Operations.

(c) For a period of three months from the effective date of this order, no allocation shall be made to Mutual Cleaners, Inc., its successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations, or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve Mutual Cleaners, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 13, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 5024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943.

Ennest Kanzler,

Director General for Operations.

[F. R. Dec. 43-556; Filed, January 11, 1843; 2:28 p. m.]

PART 1010—Suspension Onders [Suspension Order S-212]

C. E. BOLD BUILDING MATERIALS

C. E. Dole, an individual doing business as C. E. Dole Building Materials, of Vallejo, California, is engaged in the business of distributing building materials. On or about November 6, 1941, C. E. Dole, doing business as C. E. Dole Building Materials, applied a preference rating of A-2 to his purchase order for 400 kegs of nails which were subsequently delivered to him. Such preference rating had been issued by the Office of Production Management to R. H. Grant Construction Company, of Vallejo, Cali-fornia, under Preference Rating Order P-55 in connection with a private housing project in Vallejo. Of the nails so purchased by C. E. Dole, 365 kegs were resold by him to others than R. H. Grant Construction Company and were used for purposes other than said housing project. This constituted a wilful violation of Preference Rating Order P-55 and Priorities Regulation No. 1.

This violation of Preference Rating Order P-55 and Priorities Regulation No. 1 has resulted in the diversion of scarce material to uses not authorized by the Office of Production Management. In view of the foregoing facts; It is hereby

ordered, That:

§ 1010.212 Suspension Order S-212. (a) Deliveries of materials to C. E. Dole individually, or doing business as C. E. Dole Building Materials or otherwise, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Regional Compliance Chief of the San Francisco Regional Office, War Production Board.

(b) No allocations shall be made to C. E. Dole individually or doing business as C. E. Dole Building Materials or otherwise, his successors or assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve C. E. Dole, doing business as C. E. Dole Building Materials or otherwise, his successors or actions, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 16, 1943, and shall expire on April 16, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 FR. 6639; W.P.B. Reg. 1, 7 FR. 561; E.O. 5024, 7 FR. 329; E.O. 5040, 7 FR. 527; E.O. 5125, 7 FR. 2719; SEC. 2 (a), Pub. Lews 671, 76th Cong., as amended by Fub. Lews 69 and 507, 77th Cong.)

Issued this 11th day of January 1943.

ERMEST KANZLER,

Director General for Operations.

[F.,R. Doc. 43-557; Filed, January 11, 1943; 2:23 p. m.]

PART 3049—Softwood Lumber [Concervation Order LL-273, as Amended Jan. 12_1243]

Section 3049.1 Conservation Order M-208 is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3049.1 Conservation Order M-208—(a) Definitions. Wherever used in this order:

(1) "Softwood lumber" means any cawed lumber (including shingles and lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of any species of softwood: Provided, however, That "softwood lumber"-shall not include the following:

(i) Box shook, cooperage, plywood, vencer, used lumber;

 (ii) Restricted Douglas fir lumber sold, chipped or delivered by producers pursuant to paragraph (b) (1) of Limitation Order L-218;

(iii) Restricted Douglas fir lumber cold, shipped or delivered by producers pursuant to an authorization on Form PD-423 which designates specified percons as recipients of, or specific uses for, such lumber, issued under paragraph (b) (4) of Limitation Order L-218, as distinguished from an authorization on Form PD-423 that does not particularize persons or uses.

(2) "Restricted Dauglas fir lumber" means any sawed lumber (except shingles or lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of the species of Pseudotsuga taxifolia, produced in those parts of Oregon and

Washington lying west of the crest of the Cascade Mountain Range, but not including No. 3 boards, No. 3 dimension or No. 3 timbers, or any grade of factory or shop lumber, and not including plywood,

veneer or used lumber.

(b) Assignment of ratings for particular uses of lumber. (1) In addition to any other preference ratings that have been or are hereafter assigned, applied or extended pursuant to any order, regulation or certificate of the War Production Board and subject to the restrictions of subparagraph (2) of this paragraph (b), the following preference ratings are hereby assigned to deliveries of softwood lumber:

(i) AA-2X for the uses specified in List A attached to this order;

(ii) AA-3 for the uses specified in List E attached to this order;

(iii) AA-4 for the uses specified in List C attached to this order;

(iv) AA-5 for the uses specified in List

D attached to this order.

- (2) The preference ratings assigned in subparagraph (1) of this paragraph (b) may be applied or extended in the manner and to the extent permitted by Priorities Regulation No. 3, except that they shall not be applied or extended to deliveries rated prior to January 12, 1943, under this or any other order, regulation or certificate of the War Production Board.
- (3) Any person to whom a preference rating was applied or extended prior to January 12, 1943, under this order as then in effect may extend such rating in the manner and to the extent permitted by Priorities Regulation No. 3, except that preference ratings of AA-3 or lower shall not be extended for replacement in inventory of softwood lumber shipped or delivered prior to January 12, 1943.
- (4) The assignment of a preference rating in subparagraph (1) of this paragraph (b) shall not constitute authorization to begin construction under Conservation Order No. L-41, and shall not authorize the use or delivery of any material, or the application or extension of any preference rating in violation of the provisions of any conservation, limitation or other order or regulation heretofore or hereafter issued by the Director of Priorities, the Office of Production Management, or by the Director of Industr. Operations or the Director General for Operations of the War Production Board.
- (c) Additional restrictions on use of specified items of softwood lumber. (1) Notwithstanding the terms of any contract or purchase order, and not—ithstanding the fact that such an order may bear a preference rating, no person shall, except as specifically authorized by the Director General for Operations on Form PD-423, use:
- (i) Douglas fir (if softwood lumber as defined in paragraph (a) above), Southern pine or Western larch when these

species are sold as meeting specifications of 1800 or 2000 lbs. fiber stress per square inch, or 1300 or 1450 lbs. compression stress per square inch, except on orders rated AA-1 or higher;

(ii) Douglas fir (if softwood lumber as defined in paragraph (a) above), Southern pine, cypress or Western larch when these species are sold as meeting specifications of 1400 or 1600 lbs. fiber stress per square inch, or 1100 or 1200 lbs. compression stress per square inch, except on orders rated AA-2X or higher;

(iii) Douglas fir (if softwood lumber as defined in paragraph (a) above), West Coast hemlock, Noble fir or Sitka spruce, of grades No. 1, No. 2, or any higher common grade, except on orders rated

AA-5 or higher;

(iv) Southern pine of grades No. 1, No. 2 or any higher common grade, or of No. 1 box, or No. 2 box (not including D or better flooring, ceiling, drop siding or partition) except on orders rated AA-5 or higher;

(v) Idaho white pine, Northern white pine, Eastern white pine, Norway pine, Ponderosa pine, sugar pine, lodgepole pine, jack pine, cypress, white fir, Eastern hemlock, Englemann spruce or Western white spruce, of grades No. 2 or No.

3, except on orders rated AA-5 or higher; (vi) Eastern spruce of grades selected merchantable and grade No. 1 (merchantable), except on orders rated AA-5

or higher.

(d) Further restrictions on delivery. No person shall sell, ship, or deliver, or cause to be sold, shipped, or delivered any item of softwood lumber which he knows or has reason to believe will be used in violation of the provisions of paragraph (c) of this order.

(e) Extension of preference ratings to softwood logs. On and after August 27, 1942, no preference rating shall have any force or effect with respect to deliveries of softwood logs whether to be used for

lumber or any other purpose.

(f) Allocations. The Director General for Operations may, from time to time, allocate specific quantities of softwood lumber to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of softwood lumber, or the production by any person of particular items of softwood lumber. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(g) Applicability of priorities regulations. All transactions affected by this order are subject to all applicable provisions of the priorities regulations of the War Production Board as enacted or amended from time to time.

(h) Violations. Any person who wilfully violates any provison of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(j) Communications. All communications concerning this order shall be addressed to the Lumber and Lumber Products Division, War Production Board, Washington, D. C. Ref.: M-208.

(k) Limitation Order L-121. Effective August 27, 1942, the provisions of Limitation Order L-121, and authorizations granted thereunder shall have no force or effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of January 1943.

ERNEST KANZLER,

Director General for Operations.

LIST A (AA-2X)

(1) Maintenance or repair of:

(1) Any building, structure or project owned or operated by any of the agencies or governments specified in paragraph (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(ii) Railway rolling stock (including locomotives), and railway bridges, trestles, and rights-of-way.

(iii) Any building, structure or project used for the production or processing of material ordered for delivery, either directly or through intervening persons, to or for the account of any of the agencies, or governments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(iv) Any building, structure or project used for the production or processing of material which is ordered for incorporation into other material ordered for delivery, either directly or through intervening persons, to or for the account of any of the agencies or governments specified in paragraphs (b) (1)

or (2) of § 944.1, Priorities Regulation No. 1.
(2) Boxing, crating, packing or stowing for shipment of material ordered for delivery (or ordered for incorporation into materials

ordered for delivery), either directly or through intervening persons, to or for the account of any of the agencies or govern-ments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1.

(3) Delivery, or for incorporation into material which is ordered for delivery, either directly or through intervening persons, to or for the account of any of the agencies or governments specified in paragraphs (b) (1) or (2) of § 944.1, Priorities Regulation No. 1. (4) Replacement in inventory of an equal

number of board feet of substantially similar items of softwood lumber delivered after September 1, 1942, for uses specified in this

LIST

(AA-3)

(1) Construction of:

(i) Building, structures and equipment for the efficient and safe operation of facilities directly connected with the discovery, development, depletion, smelting, or refining of mineral deposits, other than gold and silver.

(ii) Bailroad rolling stock (including loco-

motives) and new railroad structures, including bridges, trestles and rights-of-way

(iii) Industrial tanks, vats, conduit and

wood pipe.
(2) Maintenance or repair of:
(i) Electric, gas, communications, water and sewage facilities, regardless of ownership.

(ii) Hospitals, roads and bridges, industrial dams, industrial wharves, industrial dock and harbor facilities, industrial canals and water-

ways and airport structures.
(iii) Facilities directly connected with the discovery, development, depletion, smelting, or refining of mineral deposits other than gold and silver.

(iv) Farm buildings other than dwellings.
(v) Commercial watercraft including tugs

and barges.
 (vi) Oil producing and refining equipment.
 (vii) Communication equipment.

(viii) Industrial machinery and equipment.

(ix) Industrial plants.

(x) Oil pipe lines. (xi) Industrial tanks, vats, conduit and

wood pipe. (xii) Agricultural implements and agricultural machinery parts, accessories and equip-

(3) Boxing, crating, packing and stowing for shipment of:

(i) Abrasive wheels and abrasives.

(ii) Chemicals.

(iii) Communication equipment.

(iv) Crucibles, commercial.

(v) Dried apples, dried apricots and dried peaches.

(vi) Fish, including shell fish,(vii) Fresh fluid milk.

(viii) Fresh fruits and vegetables, except those listed in List C.

(ix) Industrial machinery, parts, accessories and equipment, and engines and batteries

(x) Internal combustion engines. (xi) Machine tools and accessories.

(xii) Medical or surgical supplies. (xiii) Mechanical power transmission ma-

chinery and equipment.

(xiv) Metal sheets, rods and tubes.

(xv) Mining machinery. (xvi) Professional and scientific equipment and instruments.

(xvii) Tractors, construction equipment and motor vehicles, and parts, accessories and equipment.

LET C $(\Lambda\Lambda-4)$

(1) Physical incorporation into:

(i) Auto trailers and equipment. (ii) Agricultural implements, and agricultural machinery, parts, eccessories and equip-

(iii) Caskets or comins, including rough boxes.

(iv) Communication equipment.

(v) Electrical equipment. (vi) Industrial machinery, parts, accessories and equipment, and engine and batteries

(vii) Livestock and roultry equipment,
(viii) Motor vehicles, parts, accessives and
equipment, including bodies and cake,

(ix) Patterns and flashs.

(x) Professional and celentific equipment and instruments.

(xi) Tanks and vats. (2) Construction of:

(i) Buildings, structures and parts thereof, to replace these destroyed or damaged by fire, fleed, carthquake, ternade, act of Ged, or the public enemy.

(ii) Buildings and structures required for

storage of agricultural products produced, by farmers, planters, ranchmen, dairymen, or nut or fruit growers.

(iii) Shelters, barns, pens and theds for livestock or poultry, and agricultural fences and gates:

(3) Maintenance or repair of:

(i) Churches.

(ii) Commercial and office buildings, including lofts and hotels,

(III) Dwellings.

(iv) Office buildings (including remodeling) to provide accommedations for egencles of the United States Government.

(v) Motor vehicles, parts, accessive and equipment, including bodies and cabs.

(4) Boxing, crating, packing and staying for shipment of:
(i) Agricultural implements and agricul-

tural machinery, parts, accessories and equipment.

(ii) Alloys and rollings.

(III) Apples, frech. (iv) Articholics

(v) Asparagus.

(vi) Asbestos products. (vii) Avecados. (viii) Batteries.

(ix) Broccoli. (x) Bruccels eprouts.

(xi) Burnero kollero, mechanical stokero

and accessories.
(xii) Cabbage.
(xiii) Canned feeds.
(xiv) Castings and forgings.

Cantaloupes. (XV) (xvi) Cauliflower.

(xvii) Celcry. (xviii) Citrus fruit. (xix) Compressed or liquefied gas.

(xx) Corn, green. (xxi) Cranberries.

(xxii) Cucumbers.

(xxiii) Dairy products not otherwise listed. (xxiv) Dried and preserved fruits not oth-

erwise listed. (xxv) Egg plant. (xxvi) Eccarole.

(xxvii) Explorives and ammunition (nonmilitary)

(Exvili) Fire extinguishers.

(xxix) Fresh meat, meat products and lard. (xxx) Hardware, including but not limited to nuts, bolts, nails, cerews and cplkes.

(EXXI) Lettuce, head.

(EEEI) Licions. (Exxiii) Onione. (mmiv) Parcicy. (xxxv) Paranipa.

(MENTI) Pepperu, green. (MENTI) Petroleum products. (MENTI) Pipe and pipe fittings. (MENTI) Potatoco, valte and sweet.

(all) Faultry and poultry products, includ-3 (33), chell and dry. (all) Frunco, dried. (alli) Pumps and pumping equipment. (alli) Eadlehee.

(zliv) Raicina. (ziv) Refrectories.

(zlvi) Rhubarb. (zivil) Eutabega

(xivili) Shortoning and edible oil.

(xlix) Stamping and machine shop prod-

(l) Steam fittings. (li) Steam turbines.

(III) Steel eprings.

(iii) Tin cans and tinware. (iiv) Tomatoca, other than red ripe. (iv) Tools. (ivi) Turnips.

List D

(AA-5)

Physical incorporation into:
 Ladders.

(ii) Refrigeratore. (iii) Millwork.

(2) Maintenance or repair of:

(i) Buildings, structures and projects owned by any Government unit.

(ii) School and college buildings, struc-

tures and projects.
(3) Boxing, crating, packing and storing for chipment of:

(i) Bicycles.

Blowers and fans.

(iii) Coolding and heating equipment. (iv) Enameled from conitary were. (v) Fabricated structural metals.

(vi) Flat glass

(vii) Office and store machine. (viii) Lifilwork.

(ix) Paint. (x) Payer and pulp. (xi) Refrigerators.

(xii) Steam and hot water equipment.

(xii) Start doors and windows.
(xiv) Tobacco.
(xv) Vitrous plumbing and enameled products.

[P. R. Drc. 43-589; Filed, January 12, 1943; 11:11 a. m.]

PART 3116-DOUGLAS FIR LUDIEER [Limitation Order L-218, as Amended Jan. 12,

1943] Section 3116.1 Limitation Order L-218 is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Dauglas Fir lumber for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3116.1 Limitation Order L-218-(a) Definitions. For the purposes of this order:

(1) "Restricted Douglas fir lumber" means any sawed lumber (except shingles or lath) of any size or grade, whether rough, dressed on one or more sides or ledges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, of the species of Pseudotsuga taxifolia, produced in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, but not including No. 3 boards, No. 3 dimension or No. 3 timbers, or any grade of factory or shop lumber, and not including plywood, veneer or used lumber.

(2) "Producer" means any plant which

(2) "Producer" means any plant which processes, by sawing, edging, planing or other comparable method, 25% or more of the total volume of logs and lumber purchased or received by it, and which sells as lumber the product of such processing. "Volume" means board foot volume processed or sold within the last six calendar months immediately prior to the transaction affected by this order.

(3) "Procuring Agency" means the Central Procuring Agency of the Construction Division of the Corps of Engineers of the United States Army.

(b) General limitations. No producer shall sell, ship or deliver (including delivery by a producer to any distribution yard of such producer) any restricted Douglas fir lumber except that:

(1) Any producer may sell, ship or deliver (either directly or through one or more intervening persons) any restricted Douglas fir lumber to or for the account of the Procuring Agency or to or for the account of any contractor or other person designated by such agency; but only if there is endorsed on the purchase order or contract for such lumber a statement in substantially the following form, signed by the purchaser or by a responsible official duly designated for such purpose by the purchaser:

All restricted Douglas fir lumber covered by this purchase order (or contract) is to be sold, shipped or delivered to, or received by the Procuring Agency or a contractor or other person designated by such Agency, as required by Limitation Order L-218, with the terms of which I am familiar.

(Purchaser)
By______(Title or rank)

Date____

Provided, however, That when a producer has received written directions from the Procuring Agency to sell, ship or deliver restricted Douglas fir lumber to any contractor or other person designated by such Procuring Agency, such producer may comply with such directions and no such endorsed purchase order or contract shall be required from such contractor or other person. Each endorsement made under the provisions of this order shall constitute a representation to the producer and to the War Production Board that the restricted Douglas fir lumber referred to therein will be sold, shipped, delivered, or received in accordance with such endorsement.

- (2) Any restricted Douglas fir lumber which was actually in transit on October 29, 1942, may be delivered to its ultimate destination.
- (3) Any producer may sell, ship or deliver any restricted Douglas fir lumber to any other producer.
- (4) Any producer may sell, ship or deliver any restricted Douglas fir lumber upon the specific authorization of the Director General for Operations on Form PD-423, or upon the direction of the Director General for Operations pursuant to paragraph (c) of this order. Restricted Douglas fir lumber authorized to be sold, shipped or delivered on Form PD-423 may be authorized to be sold, shipped or delivered to specified persons or uses, or it may be authorized to the restrictions of Conservation Order M-208, as amended January 12, 1943, without particularizing persons or uses.
- (c) Allocations. The Director General for Operations may, from time to time, allocate specific quantities of restricted Douglas firm lumber to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of restricted Douglas fir lumber, or the production by any person of particular items of restricted Douglas fir lumber. Such allocations and directions will be made to insure the satisfaction of war requirements of the United States, both direct and indirect, and they may be made. in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.
- (d) Effect of preference ratings. No preference rating shall have any force or effect with respect to deliveries of Douglas fir logs, or deliveries by producers of restricted Douglas fir lumber except restricted Douglas fir lumber authorized to be sold, shipped or delivered on Form PD-423 without particularizing persons or uses and specifically made subject to the restrictions of Conservation Order M-208 as amended January 12, 1943.
- (e) Appeals. Any appeal from the provisions of this order should be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.
- (f) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-

(g) Communications. All communications concerning this order shall be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington, D. C., Ref.; L-218.

(h) Application of Order M-208. After January 12, 1943, the provisions of Conservation Order M-208 shall not apply to restricted Douglas fir lumber sold, shipped or delivered by producers in accordance with the provisions of this order except restricted Douglas fir lumber authorized to be sold, shipped or delivered on Form PD-423 without particularizing persons or uses and specifically made subject to the restrictions of Conservation Order M-208 as Amended January 12, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 12th day of January 1943. Ernest Kanzler.

Director General for Operations.

[F. R. Doc. 43-591; Filed, January 12, 1943; 11:11 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1]

§ 3175.1 CMP Regulation 1—(a) Purpose and scope. The purpose of this regulation is to define the rights and obligations under the Controlled Materials Plan of persons outside of the Claimant Agencies and the War Production Board. This regulation and other CMP regulations to be issued from time to time implement the "Controlled Materials Plan" which was published by the War Production Board, for informational purposes only, under date of November 2, 1942. In case of any inconsistency between such publication (or any other descriptive literature which may be published from time to time) and any CMP regulation, the provisions of the CMP regulation shall govern. Other CMP regulations contain, or will contain, provisions regarding such matters as inventory restrictions, preference ratings, warehouses, dealers, maintenance, repair and operating supplies, construction and facilities, and reports.
(b) Definitions. The following defini-

(b) Definitions. The following definitions shall apply for the purposes of this regulation, and for the purposes of any other CMP regulation unless other-

wise indicated:

(1) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I attached.

(2) "Controlled Materials Division" means the Steel Division, the Copper Division or the Aluminum Division of

the War Production Board.

(3) "Industry Division" means the Division, Bureau, or other unit of the War Production Board which is charged with supervision over the operations of a particular industry. The term also includes any other government agency which, by arrangement with the War Production Board, may perform similar functions with respect to a particular industry.

(4) "Claimant Agency" means the fol-

lowing government offices and such others as may be designated from time to time. (Identifying symbols are indi-

cated in parentheses.)

War Department (W)—except Ordnance which is identified by the symbol (O).

Navy Department (N). Maritime Commission (M).

Aircraft Resources Control Office (agent for Army Air Forces and Bureau of Aeronautics

of United States Navy) (C).
Office of Lend-Lease Administration (L). Board of Economic Warfare (E). Office of Civilian Supply (S).
Department of Agriculture (A). Office of Defense Transportation (T).

Office of Rubber Director (R).
Facilities Bureau of the War Production

Board (F). Petroleum Administration for War (P). National Housing Agency (H).

(5) "Allotment" means (i), a determination by the Requirements Committee of the War Production Board of the amount of controlled materials which a Claimant Agency may receive during a specified period, or (ii) a further determination pursuant thereto by a Claimant Agency, Industry Division, prime consumer or secondary consumer, as to the portion of its allotment of controlled materials which may be received by one of its prime consumers or secondary consumers, as the case may be.

(6) "Prime consumer" means any person who receives an allotment of controlled material from a Claimant Agency

or an Industry Division.

(7) "Secondary consumer" means any person who receives an allotment of controlled material from a prime consumer or another secondary consumer.

(8) "Class A product" means any product which is not a Class B product (as defined in subparagraph (9) below). and which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such steel, copper or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(9) "Class B product" means any

product listed in the "Official CATP Class B Product List" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule I, other than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(10) "Program" means a plan specifying the total amount of an item or class of items to be provided in a specified period of time.

(11) "Authorized program" means a program specifically authorized by the Requirements Committee or by a Claimant Agency or Industry Division within the limits of its allotment.

(12) "Production schedule" means a plan specifying the total amount of an item or class of items to be produced by an individual consumer in a specified

period of time.

(13) "Authorized production schedule" means a production schedule specifically authorized within the limits of an authorized program by a Claimant Agency or by an Industry Division with respect to a prime consumer, or specifically authorized by a prime or secondary consumer with respect to a secondary consumer producing products for it as required to meet an authorized production schedule.

(14) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further

instructions are to be given.

(15) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph(s) of this regulation or which is specifically designated to be such an order by any regulation or order of the War Production Board.

(c) General allotment procedure—(1) Allotments by Requirements Committee to Claimant Agencies. The Requirements Committee of the War Production Board will distribute the available supply of controlled materials by making allotments to the Claimant Agencies or Industry Divisions for each quarter, designating the amount of each form of controlled material available, during each month of the quarter, to each Claimant Agency or Industry Division for allotment to its prime and secondary consumers.

(2) Allotments by Claimant Agencies to prime consumers producing Class A products. Each Claimant Agency will distribute the allotments received by it by making further allotments to the prime consumers who produce Class A products for it. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during each month of the quarter, for use by it or allotment to the secondary consumers producing Class A products as parts or sub-assemblies for it. A prime consumer producing Class A products for several Claimant Agencies shall obtain separate

allotments from each. A Claimant Agency, may, in particular cases, make allotments through an Industry Division.

(3) Allotments by Industry Divisions to producers of Class B products. Unless otherwise specifically directed, allotments to producers of Class B products will be made only by Industry Divisions, both in the case of Class B products which are end-products and in the case of Class B products which are incorporated in other products whether Class A or Class B. Allotments made by the Requirements Committee may be made available to the Industry Divisions for this purpose by the Claimant Agencles. Each Industry Division will make allotments to the prime consumers producing Class B products under its jurisdiction. Such allotments will designate the amount of each form of controlled material available to each such prime consumer, during each month of the quarter, for use by it or allotment to secondary consumers producing Class A products for it. A manufacturer of saveral Class B products coming under the jurisdiction of different Industry Di-visions shall obtain separate allotments from each. A consumer producing Class B products is always a prime consumer with respect to such production.

(4) Allotments by prime and secondary consumers. Each prime consumer receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized production schedule, and shall allot the remainder to his secondary consumers producing Class A products for him, to cover their requirements for controlled materials. Allotmento by secondary consumers to secondary consumers supplying them may be made in the same fashion. A secondary consumer producing Class A products for several other consumers shall obtain separate allotments from each.

(5) Advance allotments. Advance allotments by Claimant Agencies or Industry Divisions to prime consumers may be made within specified limits before receipt of allotments from the Requirements Committee in order to assure fulfillment of long term programs and cchedulcs. Prime consumers receiving such advance allotments may, in turn, make allotments to their secondary consumers, and secondary consumers may make further allotments, in the same manner as in the case of ordinary allotments, but no consumer shall make any allotment in advance of receiving his own allotment.

(6) Allotment numbers. Allotments shall be identified by allotment numbers consisting of a Claimant Agency letter symbol and nine digits. The Claimant Agency symbol is indicated after the name of each Agency in paragraph (b) (4) of this regulation. The first four digits identify the authorized program of the Claimant Agency. The next three digits identify the authorized production schedule of the prime consumer. The last two digits indicate the month for which the allotment is valid. Months are numbered consecutively beginning with January 1942 (not 1943). Thus, 16 will denote April, 1943.

(d) Bills of materials, applications for allotments and other information serving as basis for allotments. (1) The basis for an allotment to a consumer shall be his actual requirements for controlled materials in connection with the fulfillment of an authorized production schedule. The production schedule shall be authorized as provided in paragraph (n) of this regulation. Information as to requirements shall be in the form of a bill of materials, an application for allotment and/or other information as provided below in this paragraph (d).

(2) A bill of materials shows the amounts of controlled materials required by a consumer and his secondary consumers, irrespective of time of delivery and inventory, for production of one unit or a specified number of units of his product. Bills of materials shall be prepared in the manner specified in "General Instructions on Bills of Materials," on forms CMP-1, CMP-2 and CMP-3 or on such other forms as may be prescribed. No consumer shall be required to furnish a bill of materials on any form which is not officially prescribed (as indicated by a Bureau of Budget number). but in cases where another form is in use which gives the same information as the official form, the Claimant Agency, Industry Division or consumer to whom a bill of materials is to be furnished may accept it on such other form.

(3) An application for allotment shows the aggregate amount of each form of controlled material required (after taking inventories into account to the extent required by CMP Regulation No. 2) by a consumer and his secondary consumers during each month of a quarter for his entire production of a specified product or class of products for the same customer, in the case of Class A products, or for all customers (unless otherwise directed) in the case of Class B products. Applications are to be made by manufacturers of Class A products on Form CMP-4A as issued by the appropriate Claimant Agency, and by manufacturers of Class B products on Form CMP-4B as issued by the War Production Board, or on such other forms as may be prescribed.

(4) A bill of materials or application for allotment shall not include controlled materials required for manufacture of Class B products which will be incorporated in the product with respect to which the bill of material or application is submitted, although information as to the number or value of such Class B products is to be given in bills of materials to the extent required by the instructions.

(5) Requirements for maintenance, repair or operating supplies shall not be included in bills of materials or applications for allotment. Requirements for such purposes are to be obtained separately as provided in CMP Regulation No. 5.

1

(6) Bills of materials and applications for allotments shall be filed with the Claimant Agency, Industry Division or other consumer by whom the allotment is to be made, as indicated in paragraph (c) of this regulation. Bills of materials shall be filed only when and as called for by such Claimant Agency, Industry Division or other consumer. Manufacturers of Class A products shall file applications for allotments only when and as called for by the Claimant Agency or other consumer for whom they make their products. Manufacturers of Class B products who will require controlled materials from controlled materials producers during the second quarter of 1943 (or whose secondary consumers will require the same) must file applications for allotments on Form CMP-4B not later than February 9, 1943, or by such other date as may be designated or approved by the appropriate Industry Division (or in special cases by a Claimant Agency). Those manufacturers of Class B products who will obtain their requirements of controlled materials for the second quarter of 1943 entirely from warehouses or retailers, and whose secondary consumers will do the same, need not file any applications for allotments. Procedures for obtaining controlled materials from warehouses or retailers, and limitations on the amount which may be obtained will be provided in CMP Regulation No. 4.

(7) Each person making an allotment may require such other information in liqu of, or in addition to, a bill of materials or application for allotment as is required to enable him to make the allotment requested or to furnish any bill of materials, application for allotment or other information that may be required of him. If the consumer from whom such other information is requested is of the opinion that compliance with such request would be unreasonably burdensome he may appeal for relief as provided in paragraph (z) of this regulation.

(8) Any consumer making an allotment may waive the furnishing of a bill of materials or application for allotment, or both, if he has other information as to actual requirements of his secondary consumers (taking into account the inventory restrictions of CMP Regulation No. 2) which is sufficiently accurate and detailed to enable him to make the allotment and to furnish any bill of materials, application for allotment or other information that may be required of him.

(e) Responsibility for statements of requirements, including those of secondary consumers; duty to correct overstatements. (1) The furnishing of any bill of materials, application for allotment or other information as to requirements by a consumer, shall constitute a representation by him to the person to whom it is furnished, to the appropriate Claimant Agency and to the War Production Board, that the statements contained therein are complete and accurate, to the best of his knowledge and belief, not only with respect to such consumer's own requirements but also with respect to those of his secondary consumers.

(2) Any person who ascertains that he has overstated (whether by inadvertence or otherwise) his requirements, or those of his secondary consumers, for any form of controlled material, shall immediately report such error to the person to whom the statement of requirements was furnished. If he has already received an allotment based on such overstatement, he shall immediately cancel or reduce the same (or an equivalent amount of other allotments received for the same authorized production schedule) to the extent of such excess, and report such cancellation or reduction to the person from whom the allotment was received; or, if he is unable for any reason to make such cancellation, he shall immediately make a full report to the person from whom he received the allotment, and shall send a copy of such report to the appropriate Claimant Agency or Industry Division, if the allotment was re-ceived from another consumer.

(3) If any consumer receives any statement of requirements which he knows or has reason to believe to be substantially excessive (whether by inadvertence or otherwise), he shall withhold any allotment based thereon (either entirely or in an amount sufficient to correct the maximum excess) until satisfied that the statement is not excessive or that it has been appropriately modified. If unable to obtain sufficient information or an appropriate modification, he shall promptly report the matter to the appropriate Claimant Agency or Industry Division. Failure to withhold allotments or to make such report shall be deemed participation in the offense.

(4) If, after making any allotment, a consumer ascertains or has reason to believe that the allotment was substantially in excess of actual requirements, he shall either (i) correct the excess by cancelling or reducing the allotment or other allotments made by him to the same consumer, or (ii) report the matter promptly to the appropriate Claimant Agency or Industry Division. Failure to make such correction or report shall be deemed participation in the offense.

(f) Forms in which controlled materials are allotted. Each allotment, whether made by a Claimant Agency, an Industry Division or a prime or a secondary consumer, shall specify the form of the controlled material allotted. Allotments of steel shall be in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown., Allotments of copper and aluminum shall be broken down as indicated in Schedule I. A consumer may make allotments only in the same forms of controlled materials in which he has received his allotment.

(g) Allotments by consumers. (1) No consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(2) No consumer shall make any allotment in excess of the amount required, to the best of his knowledge and

belief, to fulfill the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any secondary consumers supplying the latter).

(3) No consumer shall make any allotment for the production of Class B products and no person shall accept any allotment from a consumer for the pro-

duction of Class B products.

(4) No consumer who has received his allotment for an authorized production schedule shall place any delivery order (other than small orders placed pursuant to paragraph (1) of this regulation) for any Class A product required to fulfill said schedule, unless concurrently therewith or prior thereto, he makes an allotment to the person with whom the order is placed, in the amount required by such person's inventory into account to the extent required by CMP Regulation No. 2).

(h) Methods of allotment. (1) A consumer may make an allotment to his secondary consumer by either:

(i) Executing and returning one of the copies of the application (Form CMP-4A, or such other form as may be prescribed) furnished to the consumer by his secondary consumer or, in the event an application has been waived, by indicating on the prescribed application form the controlled materials allotted and executing and delivering-such form to the secondary consumer;

(ii) Placing on or affixing to his delivery order for one or more Class A products the short form of allotment (Form CMP-5) set out in Schedule II attached hereto, subject to the accom-

panying instructions; or

(iii) Telegraphing the information required under subdivision (i) or (ii) above and confirming the same with the ap-

propriate written form.

(2) Every consumer shall place on each allotment made by him the full allotment number which is on the related allotment received by him, except that he shall specify the month numbers for only those months as to which he is making an allotment. If a consumer places a delivery order for which he has made an allotment by separate instrument, he shall place the appropriate number on said order.

(i) Method of cancelling or reducing allotments. A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, on the basis of the allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made. or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If such cancellation or reduction is not practicable, he may make equivalent cancellations or reductions with respect to other allotments received by him for the same production schedule. If he deems such course of action impracticable, he shall immediately report to the appropriate Claimant Agency or Industry Division for Instructions.

(j) Assignment of allotments. No consumer shall transfer or assign any

allotment in any way unless:

 Delivery orders placed with him, in connection with which the allotment was made to him, have been transferred or assigned to another consumer;

(2) The authorized production schedules of the respective consumers have

been duly adjusted:

(3) Use of the allotment by the assignee or transferce will not involve a violation of the inventory limitations of CMP Regulation No. 2; and

(4) The transfer or assignment is approved in writing by the person who

made the allotment.

(k) Grouping of small allotments. A consumer who has received a number of different allotments for the same form of controlled material and who has occasion to make several allotments of small quantities thereof may combine in one allotment any number of such small allotments provided that:

(1) Each of the small allotments co combined is for less than the following

nounts:

Carbon steel (including wrought	
iron but excluding tool steel)	5 tons
Carbon tool steel	500 lbs.
Alloy steel (excluding stainless and	
tool steel)	1 ton.
Stainless steel	CGO 1bg.
Alloy tool steel	690 lbs.
Copper or copper base alloys	200 lbs.
Aluminum	160 lbc

(2) Each of the combined ellotments is for the same month; and

(3) In lieu of an allotment number he shall endorse the combined allotment made by him with a statement in substantially the following form:

The within allotments have been combined pursuant to the provisions of paragraph (k) of CMF Regulation No. 1 and are supported by allotments bearing the Claimant Agency symbols, or by delivery orders bearing other prescribed letter symbols, as indicated below for the quantities of each form of controlled material specified apposite each symbols:

Form of controlled material	Symbol	Quantity (by weight)

(1) Placing of orders for Class A products requiring small quantities of controlled material, without making allotments. (1) A person requiring any Class A product in a quantity constituting a "small order," as defined in subparagraph (2) of this paragraph (1), and who is entitled to obtain such product by using an allotment number, may, in lieu of making an allotment, place on his order the applicable allotment number followed by the symbol SO; Provided, however, That no person shall subdivide his requirements for Class A products

into small orders for the purpose of coming within this provision.

(2) As used in this paragraph (I), "small order" means a delivery order for a Class A product placed with the manufacturer thereof by a consumer, where the aggregate amounts of controlled material required to fill such order, together with all delivery orders for the same Class A product placed by the same consumer with the same manufacturer calling for delivery during the same month, do not exceed the following:

Carbon	steel	(including	virought	
iron).				1 ton
Allow oto	e1			400 lbs.
		per base allo		
Aluminu	m	~ 		20 lbs.

(3) A manufacturer of Class A products who receives small orders may obtain his requirements of controlled materials to fill the same from warehouses or retailers, in amounts and subject to the limitations prescribed in CMP Regulation No. 4. If his requirements exceed the amounts available under CMP Regulation No. 4, he may obtain such materials by following the procedure indicated in paragraph (s) of this regulation, with respect to the placing of delivery orders with controlled materials producers, except that in transmitting his customer's allotment number he shall add the symbol SO, and, if he groups the orders as permitted by paragraph (s) (3), he shall group his requirement for small orders ceparately under the symbol SO instead of the Claimant Agency symbol. Dalivery orders complying with this subparagraph (3) shall be deemed authorized controlled material orders.

(4) No manufacturer of Class A products receiving a small order for such products shall be required to furnish his customer with a bill of materials, application for allotment or equivalent information with respect thereto, other than a statement, if requested, that the controlled materials required come within

the limits of a small order. (m) Relationship between allotments and authorized production schedules. Every allotment made by a consumer must include or be accompanied by authorization of a production schedule with respect to the products to be supplied to him, and no consumer shall authorize a production schedule for a secondary consumer unless he concurrently allots the controlled materials required to fulfill the schedule; provided, however, that this paragraph shall not apply to any delivery order bearing a symbol (such as a small order bearing the symbol SO; which may be placed without making an allotment as expressly permitted by any regulation or order of the War Production Board.

(n) Manner of authorizing production schedules. (1) A production schedules for each prime consumer producing a Class A product shall be authorized by the appropriate Claimant Agency on Form CMP-4A, or such other form as may be prescribed. A Claimant Agency may, in particular cases, authorize a production schedule through an Industry Division.

- (2) A production schedule for each secondary consumer producing a Class A product shall be authorized by the consumer for whom such Class A product is to be produced, on the form on which the related allotment is made; provided, however, that the delivery date specified on a delivery order shall constitute an authorization of the minimum production schedule required to permit delivery on such date.
- (3) A production schedule for each consumer producing a Class B product shall be authorized by the appropriate Industry Division (or in special cases by a Claimant Agency) on Form CMP-4B, or such other form as may be prescribed.
- (4) A consumer receiving allotments from several persons shall obtain separate authorized production schedules from each.
- (5) Prior to authorizing a production schedule, a Claimant Agency, Industry Division or consumer may furnish a tentative production schedule to be used as a basis in submitting requirements, but such action shall not constitute authorization of a schedule.
- (o) Compliance with authorized production schedules. (1) Each consumer receiving an authorized production schedule shall fulfill the same unless prevented by circumstances beyond his control, except that a manufacturer of Class B products need not produce more than required to fill orders bearing preference ratings.
- (2) No consumer who has received an authorized production schedule shall exceed such schedule in any month, except that (i) a deficiency in meeting an authorized production schedule during any month may be made up in any subsequent month or months, (ii) production authorized for any month may be completed at any time after the 15th of the preceding month and, (iii) where a delivery order calls for deliveries, in successive months, of Class A products in quantities which are less than the minimum practicable production quantity, and compliance with monthly production schedules would result in substantial interruption of production and consequent interference with production to fill other delivery orders, the consumer may produce (and his customer may order) in the first month the minimum practicable quantity which may be made without such interference. A person shall be deemed to exceed an authorized production schedule if his completion of finished products exceeds the limits authorized, or if his rate of fabricating, assembling, or otherwise processing, or acquiring raw materials or parts, exceeds the practicable working minimum required to meet the authorized production schedule.
- (p) Rejection of orders in excess of capacity. No prime or secondary consumer shall accept a delivery order for a Class A or Class B product manufactured by him calling for delivery after March 31, 1943, if he does not expect to be able to fulfill the same by the requested de-

- livery date, subject to unexpected contingencies and to any period of grace which may be specified in the delivery order. If the person whose order is rejected is unable to find another manufacturer who is in a position to accept it, he should report the facts to the appropriate Claimant Agency or Industry Division.
- (q) Reconciliation of conflicting schedules. In any case where, for any reason, a manufacturer of Class A or Class B products is unable to fulfill conflicting authorized production schedules which he has accepted from different persons, he shall immediately report to the appropriate Industry Division for directions, except that such report shall be made to a Claimant Agency if all conflicting schedules bear its symbol or if all Claimant Agencies whose schedules conflict have stipulated a single Claimant Agency for such purposes.
- (r) Alternative procedure for simultaneous allotments. A prime or secondary consumer who has several secondary consumers in different degrees of remoteness and finds it impracticable to determine the exact allotments to be made to each of his immediate secondary consumers, for their needs and those of their secondary consumers, may, at his option, make simultaneous direct allotments to each secondary consumer, of all degrees of remoteness, by adopting the following procedure:
- following procedure:
- (1) The consumer who is to make the allotanent (hereafter in this paragraph (r) called the originating consumer) shall maintain a complete list of all secondary consumers making Class A products for incorporation in his product. He shall keep this list current at all times by requiring each of his immediate secondary consumers to report promptly to him any change with respect to the source of each secondary consumer's Class A purchased products.
- (2) Immediately upon receiving an allotment, the originating consumer shall notify each secondary consumer on the list (either directly or through intervening secondary consumers) of the authorized schedule for which the allotment has been made to him. Such notice shall not include an allotment number. It shall identify the product to be delivered by the secondary consumer to whom the notice is sent and state the quantity to be delivered and the time when delivery is required.
- (3) Promptly upon receipt of such preliminary notice, each secondary consumer shall report to the originating consumer directly (not through intervening secondary consumers) the amount of each form of controlled material required by him each month in order to make the deliveries indicated. Each such secondary consumer shall include only his own requirements of controlled materials, not those of his secondary consumers. No form is prescribed for such statement.
- (4) The originating consumer shall then determine the total requirements

- of all his secondary consumers under the schedule, checking the list to make certain that a preliminary statement of requirements has been received from each secondary consumer.
- (5) If such summary shows that the aggregate requirements of the originating consumer and all his secondary consumers for each form of controlled material do not exceed the allotment made to him for the schedule, he may then allot directly to each secondary consumer on the list the amount indicated in the preliminary statement of requirements. No form is prescribed for such allotment, and it may be made by telegram, but it must include the complete allotment number and a statement substantially as follows: "This allotnent is made in accordance with the alternative procedure for simultaneous allotments provided in paragraph (r) of CMP Regulation No. 1." If aggregate requirements do not exceed his allotment, the originating consumer shall be under no obligation to check the accuracy of the preliminary statements received from his secondary consumers before making allotments to them, but otherwise he and his secondary consumers shall remain subject to the provisions of paragraph (e) of this regulation regarding responsibility for statements of requirements.
- (6) If, the summary shows that the aggregate requirements of the originating consumer and all his secondary consumers exceed the allotment made to him with respect to any form of controlled material, the originating consumer snall not make any allotment or place any authorized controlled material order for the production schedule covered by his allotment until and unless:
- (i) Requirements have been revised by himself or by one or more of his secondary consumers to the extent necessary to eliminate such excess, or
- (ii) With the express permission of the appropriate Claimant Agency or Industry Division after he has reported the facts to it, he withholds an amount sufficient to cover all adjustments which must be made in the requirements of his secondary consumers in order to bring them within his allotment.
- (s) Placement of orders with controlled materials producers. (1) A delivery order placed with a controlled materials producer for controlled material shall be deemed an authorized controlled material order if, but only if, it complies with the provisions of this paragraph (s) or is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board.
- (2) A consumer who has received an allotment may place an authorized controlled material order with any controlled materials producer, unless otherwise specifically directed. An allotment to a prime consumer may include a direction to place delivery orders for controlled materials with one or more designated controlled materials producers.

In such event the consumer shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no consumer shall impose any such restriction in any allotment made by him.

(3) A delivery order for any controlled material, other than steel castings, placed with a controlled materials producer shall be accompanied by three copies of Form CMP-6. A consumer placing a delivery order for steel castings shall endorse the appropriate allotment number on such order, except that delivery orders for small amounts may be combined in the same manner as provided in paragraph (k) hereof with respect to grouping of allotments.

(4) An authorized controlled material order must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance of the requested delivery date as is specified in Schedule III attached, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(5) Controlled materials required for fulfillment of a production schedule which has not yet been authorized may be ordered for delivery before July 1, 1943 under applicable priorities regulations and orders (as the same may be modified from time to time), without placing an authorized controlled material order. Authorized controlled material orders shall, however, take precedence over other orders to the extent provided in CMP Regulation No. 3 regarding preference ratings.

(6) A delivery order placed by a consumer before he has received his allotment and authorized production schedule may be converted into an authorized controlled material order either by furnishing a copy of the order conforming to the requirements of this paragraph(s) or by furnishing in writing the requisite information clearly identifying the order, accompanied in either case by Form CMP-6, except that such form is not required for delivery orders for steel castings.

(t) Controlled materials producers-(1) Each controlled materials producer shall comply with such production directives as may be issued from time to time by the appropriate Controlled Materials Division.

(2) A controlled materials producer shall accept authorized controlled material orders in the order in which received by him except:

(i) He may reject orders for less than the minimum mill quantities specified in Schedule IV attached, but shall not discriminate between customers in rejecting or accepting such orders.

(ii) In any case where he is of the opinion that the filling of the order would substantially reduce his over-all production owing to the large or small size of the order, unusual epecifications, or otherwise, he shall apply to the appropriate Controlled Materials Division which may direct that the order be placed with another supplier or take other appropriate action.

(iii) He shall refuse any order for shipment of any product in any month if such order, together with all his authorized controlled material orders already on hand for delivery during that month and any orders carried over from the preceding month, plus such amounts as he may be directed by the Controlled Materials Division to deliver or set aside for delivery to warehouses or nonin-tegrated mills or otherwise, total 110% of the production of such product specified in his production directive, or, if no production directive is currently in effect with respect to such product, total 105% of his expected production. As soon as such limits of 110% and 105% respectively have been reached, each controlled materials producer shall promptly notify the appropriate Controlled Materials Division in writing.

(iv) He shall reject orders to the extent required by specific direction of the Controlled Materials Division.

(3) No controlled materials producer shall, after March 31, 1943, make any delivery of controlled material except:

 A delivery made to fill an authorized controlled material order:

(ii) A delivery which is completed before July 1, 1943, and which is made in compliance with applicable priorities regulations and orders;

(iii) A delivery made pursuant to a specific direction of the Director of the

Controlled Materials Division.

A controlled materials producer's use of controlled material produced by him (except use in processing which does not convert the same into any form or shape other than one specified with respect to such controlled material on Schedule I) shall be deemed a delivery for the purposes of this paragraph (t).

(4) A controlled materials producer shall make delivery on each authorized controlled material order as close to the requested delivery date as is practicable in view of the need for maximum production and compliance with production schedules. If it is not practicable to make delivery during the month indicated by the last two digits of the allotment number, delivery may be made:

(i) After the 15th of the preceding month, provided such delivery does not interfere with delivery on authorized controlled material orders designating shipment in such preceding month or carlier months, and provided production to meet such delivery would not violate any production directive in effect; or

(ii) As early as practicable in the month following the month indicated by the last two digits of the allotment number: Provided that, In such case, the controlled materials producer shall promptly notify the customer of such delay. If such delay will interfere with the customer's authorized production schedule, the customer should immedi-

ately apply to the appropriate Controlled Materials Division for relief.

(5) If, after accepting an authorized controlled material order, the producer cannot make delivery before the end of the month following the month designated by the allotment number, he shall promptly notify the appropriate Controlled Materials Division in writing stating the allotment number, the name of the customer and the material covered by the order, but he shall not thereafter fill the order unless specifically directed to do so.

(6) All directions to controlled materials producers affecting production and distribution of controlled materials shall be issued by and through the Controlled

Materials Divisions.

(u) Restrictions on use of allotments or materials or products obtained by allotments. (1) No consumer shall use an allotment, or any controlled material or Class A product obtained pursuant to an allotment for any purpose except:

(i) to fulfill the authorized production cchedule for which the allotment was received, or for such other purpose as may be permitted by the appropriate Claimant Agency or Industry Division;

(ii) to restore to a practicable working minimum his inventory of such material or product if the same has been depleted in fulfilling such production schedule or such purpose, subject, how-ever, to the inventory limitations of CLIP Regulation No. 2;

(iii) as permitted or required by Priorities Regulation No. 13, pertaining to special sales, or any other applicable regulation of the War Production Board;

(iv) as specifically authorized or directed by the Director General for Operations, or by the appropriate Claimant Agency where only such Agency's schedules are affected or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected.

(2) The provisions of subparagraph (1) of this paragraph (u) shall not require physical segregation of inventories used for different authorized production schedules provided the restrictions applicable to any specific lot of material or product are observed with respect to an equivalent amount of the same material or product.

(v) Adjustments on account of controlled materials or Class A products obtained without use of allotments. Each consumer shall promptly reduce, in the manner provided in paragraph (i) of this regulation, any allotment received by him, to the extent that, either before or after receiving the allotment, he fills any of his requirements covered by the allotment through the acquisition of controlled materials or Class A products in any other manner than by use of the allotment, including without limitation:

(1) Transactions covered by preference ratings (including preference ratings assigned on PRP Certificates or otherwise):

(2) Transactions not affected by preference ratings;

(3) Purchases from warehouses or retailers pursuant to CMP Regulation No. 4 or otherwise;

(4) Purchases pursuant to Priorities Regulation No. 13 or otherwise, from persons not regularly engaged in the business of selling the material or product;

(5) Purchases on small orders pursuant to paragraph (1) of this regulation:

(6) Purchases of second-hand materials or products.

(w) Adjustments for changes in requirements. If a consumer's requirements for controlled materials or Class A products are increased after he receives his allotment, he should apply for an additional allotment from the person who made the same. If his requirements decrease, for any reason, he shall promptly cancel or reduce his allotment in the manner provided in paragraph (i) of this regulation.

(x) Other War Production Board regulations and orders. Nothing in this regulation (or any other CMP regulation) shall be construed to relieve any person from complying with any applicable priorities regulation or any order of the War Production Board (including orders in the "E," "L," "M" and "P" series) except as expressly provided, or except where such compliance would require violation of a provision of this regulation (or any other CMP regulation).

(y) Records and reports. (1) Each consumer making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records, by allotment numbers, of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct secondary consumers.

(2) Each controlled materials producer shall report to the appropriate Controlled Materials Division, on the forms and for the periods prescribed, such information on production, consumption and distribution of controlled materials as may be prescribed by the appropriate Controlled Materials Division.

(3) Each prime or secondary consumer and each controlled materials producer shall retain for two years at his regular place of business all documents on which hé relies as entitling him to make or receive an allotment or to deliver or accept delivery of controlled materials or Class A products, segregated and available for inspection by representatives of the War Production Board, or Claimant Agencies, or filed in such manner that they can be readily segregated and made available for such inspection.

(z) Appeals and applications for relief. (1) Any person who is subject to any requirement of any regulation, direction, order or other action under the Controlled Materials Plan, may appeal for relief by filing a letter in triplicate with the appropriate authority specified below in this paragraph (z), setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief.

(2) Except as provided in subparagraphs (3) and (4) of this paragraph (z) or as otherwise specifically directed, an appeal by a producer of Class A products should be filed with the appropriate Ciaimant Agency, and an appeal by a producer of Class B products should be filed with the appropriate Industry Division, unless the matter affects only production schedules of a single Claimant Agency or where a single Claimant Agency has been stipulated for the purpose by all Claimant Agencies whose schedules are affected, in which case the appeal should be filed with such Claimant Agency.

(3) An appeal concerning the operations of a controlled materials producer (whether filed by such producer, by a consumer, or by a Claimant Agency) shall be filed with the appropriate Controlled Materials Division.

(4) A producer of Class B products may apply for permission to be treated as a producer of Class A products. A producer of Class A products making a large variety of items which are sold to many customers and whose allotments originate from several Claimant Agencies, may make application to be treated as a producer of Class B products, but such permission will not be granted with reference to component parts or subassemblies, unless the necessary adjustments in bills of materials which include such component parts or sub-assemblies can be made without difficulty. Application for reclassification should be filed with the CMP Division, War Production Board, Washington, D. C., and may be filed either directly by the producer or by a Claimant Agency on his behalf.

(5) In case of any disagreement between any persons as to the interpretation of any provisions of this regulation or any other regulation, direction, or order under the Controlled Materials Plan, the matter should be referred to the Inquiry and Service Branch, CMP Division, War Production Board, Washington, D. C.

(aa) Penalties. Any person who willfully purports to make any allotment of controlled materials or to place authorized controlled material orders in excess of the amount allotted to him, or violates any other provision of this regulation, or any other regulation, direction or order under the Controlled Materials Plan, or who knowingly or willfully makes any false or fraudulent statement or representation with respect to requirements for controlled materials or in any other matter under the jurisdiction of any agency of the United States under the Controlled Materials Plan, is guilty of a crime and, upon conviction, may be punished by a fine up to \$10,000 or by imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries or allotments of controlled material or from making or obtaining any further deliveries of, or from processing or using, any material under priorities control, and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law: 89 and 507, 77th Cong.)

Issued this 12th day of January 1943. ERNEST KANZLER, Director General for Operations.

SCHEDULE I

STEEL

Carbon Steel

Forms and shapes.

Bars, cold finished.

Bars, hot rolled.

Ingots, billets, blooms, slabs, tube rounds, skelp and sheet and tin bar.

Pipe.

Plates.

Rails and track accessories.

Sheets and strip. Steel castings.

Structural shapes and piling, Tin plate, terne plate, and tin mill black plate.

Tubing.

Wheels, tires and axles.

Wire rods, wire and wire products.

Alloy Steel

Forms and shapes.

Bars, cold finished.

Bars, hot rolled.

Ingots, billets, blooms, slabs, tube rounds,

sheet bar: Pine.

Plates and structural shapes.

Sheets and strip.

Steel castings.

Tubing.

Wheels, tires and axles.

Wire rods, wire, and wire products.

Note: Steel in any of the above forms and shapes constitute controlled materials, but allotments of steel are made in terms of (1) carbon steel (including wrought iron) and (2) alloy steel, without further breakdown.

COPPER

Brass Mill Copper Base Alloy Products

Forms and shapes.

Ammunition cups, discs and slugs.

Sheet and strip (other than cups and discs).

Rods, bars, and wire (including extruded shapes not including slugs).

Tubing and pipe.

Brass Mill Copper Products

Forms and shapes.

Plate, sheets and strip.

Rods, bars and extruded shapes (excluding wire bars and ingot bars).

Tube and pipe.

Wire Mill Copper Products

Forms and shapes.

Wire and cable (including copper content of insulated wire and cable).

Foundry Copper and Copper Base Alloy Products

Forms and shapes. Castings.

Note: Allotments of copper are made in the forms and shapes specified above.

Forms and shapes.

Rod, bar, wire and cable.

Forgings, pressings and impact extrusions.

Castings.
Shapes, rolled or extruded.
Sheet, strip, plate and foil.

Tubing.

Ingot and powder.

Note: Allotments of aluminum are made in the forms and shapes specified above.

Specific information with respect to coding and definitions may be found in "General Instructions on Bills of Materials."

SCHEDULE IL—SHORT FORM OF ALLOTMENT

Allotment num- ber (including last two digits	Controlled Material Freducts allotted			
showing month as to which allot- ment is made)				
-		`		
	1		-	
			,	

Above allotments are made for use in filling this delivery order in compliance with CMP Regulation No. 1

Instructions for Use of Short Form of Allothent—Form CMP-5

The above short form of allotment may be used by any consumer for the purpose of making an allotment to a secondary consumer producing Class A products for him. The short form of allotment must be either placed on or physically attached to the delivery order calling for delivery of the Class A products. If it is attached the delivery order number or other identification must be indicated on the form.

The form must be followed by the signature of an authorized official of the consumer making the allotment, but need not be separately signed if it is placed on the delivery order in such a position that the signature of the delivery order by such an authorized official clearly applies to the allotment as well as to the order itself.

The size of the form may be varied, but all information called for by the form must be supplied and the general arrangement and wording of the form must be followed.

Under the heading "Controlled Material Products Allotted" the person making the allotment must designate the forms which are allotted. These must be shown in the breakdown prescribed in Schedule I of CMP Regulation No. 1, and must be within the allotments received by such consumer for the same forms. Additional columns may be added depending on the number of forms of controlled material allotted. A sample form follows:

Allotment	Controlled Material Products				
number (in-	allotted				
cluding last two digits showing month as to which allotment is made)	Carbon steel	Copper base alloy tubing and pipe	Copper plato shects and strip	Alumi- num east- ings	
N-1234-567-18_	Tons	<i>L</i> ₺₃.	<i>L</i> 5s.	L?s.	
	100	10,000	8,000	100	

Above allotments are made , or use in filling this delivery order in compliance with CMP Regulation No. 1

SCHEDULE III.—Time for Placing Authorized Controlled Material Orders

Note: Delivery orders may be placed in advance of receiving allotments, and converted into authorized controlled material orders on receipt of allotments, as provided in paragraph (s) (6) of CMP Regulation No. 1.

Schizzona III.—Time for Piccing Authorized Controlled Material Orders—Continued

CTTT.

Number of days in edvance of first day of month in which Product shipment is required Alloy steel (including stainless steel): Hot rolled bars and cemi-finished... 103 Bars-cold finished____ Sheet and strip—hot and cold rolled. 103 Plates—hot rolled______Tool steel: Hot rolled products. 80 Cold finished preducts_____ 120 Cold finished barg: Carbon bars-standard cizes, grades and sections_____ 70 Carbon bare—furnace treated at hot mills or epecial cection, edd cizes or special grades_____ 100 Alloy bars____ 163 Plates and shapes: Carbon steel plates_____Carbon steel structural chapes____ 30 43 Alloy steel plates and chapes..... 73 30 Sheet and strip: Sheet-hot rolled-16-gauge and heavier___ 30 Sheet-hot rolled--17-gauge lighter__ 45 Sheet—cold rolled—galvanized—long 45 terne_. 45 25 carbon) and other long processed erecial carron hot rolled and cold rolled sheets and hot and cold rolled strip (including elec-finished: Except for earton bars heat treated and annealed_______Carbon bars heat treated and an-20 Tin mill preducts 30 Tubing: Carbon steel—hot finished... Carbon steel—cold drawn: £0 11/2" and larger_____ 45 Under 1½"
Alloy steel—hot finished
Alloy steel—cold drawn:
1½" and larger ED Under 11/4"_____ Steel castings: Providing patterns are available: Weight per casting: 500 pounds and under_ Over 5000 rounds to 5000 rounds. Over 5000 rounds to 30,600 45 pounds______ Over 30, 60 pounds_____ Wire and wire products: CO 76 Hot rolled wire reds ... Merchant trade products Manufacturing wires:
Low carbon .0476" and heavier....
Low carbon under .0475"..... C) 63 75 75 Welded wire-reinforcing fabric_____ 45 Brass mill copper and copper bace alloy Copper and non-refractory alloys..... 45 Refractory alloys...... Wire and cable products: Bare wire and cable..... C) Weatherproof wire and cable_____

Sembour III.—Time for Placing Authorized Controlled Meterial Orders—Continued

Controlled Material Orders—Continued	
corra-continued	
Number of days in advance of first day of month in which	2
Product chipment is required	Z
Wire and cable products—Continued.	
Magnet wire 23	
Rubber insulated building wire G	
Paper and lead cable	
Varniched cambric cable 3	
Achestes cable (type H-F) 6:	,
Rubber inculated wire and cable	=
	•
Foundary copper and copper best allog products:	
Castings (rough eastings, not ma-	
chined-accuming patterns are	
available)	
Small simple castings to fit 12" by	
16" flact	7
Large intricate and contribugal	
cartings 16	Ł
_	
ALUMINIC	
	5
	3
All forms and chapes4	
All forms and chapes————————————————————————————————————	ָ ֖֭֭֡֞֝
All forms and chapes————————————————————————————————————	
Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing such orders chall be subject to expec-	
Where no time is specified in Schedule III for placing orders for a particular form or chape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the con-	
Where no time is specified in Schedule III for placing orders for a particular form or charge of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled material, producer, provided that no	
Where no time is specified in Schedule III for placing orders for a particular form or chape of controlled material, the time for placing cuch orders chall be subject to agreement between the consumer and the controlled materials producer, provided that manducer chall digminingte between controlled materials of the controlled materials or c	
Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing cuch orders chall be subject to agreement between the consumer and the controlled materials producer, provided that no producer chall discriminate between consumer in the acceptance of orders. In the	
Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer, provided that no producer shall dismininate between consumers in the acceptance of orders. In the event of any disagreement, the matter should	
Where no time is specified in Schedule III for placing orders for a particular form of chapt, of controlled material, the time for placing such orders shall be subject to agreement between the consumer and the controlled materials producer, provided that no producer chall distriminate between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled	
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Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing cuch orders chall be subject to agreement between the consumer and the controlled materials producer, provided that me producer chall dismining between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division. SCHEBULE IV.—Minimum Mill Quantities	
Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing cuch orders chall be subject to egreement between the consumer and the controlled materials producer, provided that no producer chall dismining between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division. Schemule IV.—Minimum Mill Quantities Steel	
Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing cuch orders chall be subject to agreement between the consumer and the controlled materials producer, provided that no producer chall disminists between concumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division. Schemic IV.—Minimum Mill Quantities size and green for shipment.	
Where no time is specified in Schedule III for placing orders for a particular form of chape of controlled material, the time for placing cuch orders chall be subject to egreement between the consumer and the controlled materials producer, provided that no producer chall dismining between consumers in the acceptance of orders. In the event of any disagreement, the matter should be referred to the appropriate Controlled Materials Division. Schemule IV.—Minimum Mill Quantities Steel	

Materials Division.	
Schindle IV.—Minimum Mill (Quantities
STILL	_
	ics and grais
fo	r shipment
ct	one time,
Product to	one time,
Alloy steel:	nation
Standard grades and sections:	
Rounds, equares 3" and	
1171 der	5 net tons.
Hexagon and flata—all sizes	5 net tons.
Tcol atcol	ECO pounde.
Cold finished bars	3 net tops.
Hot rolled carbon bars and semi-	4
finished:	
Round bars up to 3" incl., and	
cquares, hexagons, half	
rounds, ovale, half ovals,	
ete, of approximate cquiva-	
lost costoral arca	Enetitons.
lent coefficial area	O 200 00
aboding castages within this	
thing parace men	15 net tons.
range) Flat borr, all cizro Bor cizo chaptes (angles, tees, chaptels and zees under	Snot fons.
Pow cito chance (engles term	02400
Tibut care but cleaned	
Forging billets, blcoms and	Suct tons.
Farring billets bleams and	0 200 0020
Claba	Product of
	one ingot.
Recolling billets, clabs, cheet	3
bare, slielp	25 gross -
	tons.
Plates and chapes:	
Plates:	
Centinuous ctrip mili pro-	
duction	10 net tons.
duction Sheared mill, universal mill	
or bar mill preduction	3 net tons
Structural chapes	Snet tons
Pipco	(1)
Sheet and strip:	€7
Sheets—hot and cold rolled	E not ton-
Succession and cold relies	ones tons.
Strip—hot and cold rolled	
Tin mill products (one gauge)_	2,000

Published carload minimum (mixed

dzes and grades).

Schedule IV.—Minimum Mill Quantities—Continued

Quantities—Continued
Size and grade
for shipment
joi sirepiteire
at one time, Product to one desti-
Tubing: nation
Carbon and alloy steel—cold
drawn: .
O. D. (inches):
The to 3/1/ including 1 000 foot
Op to % Inclusive 1,000 leeb.
Over %" to 1½" inclu-
Up to 34" inclusive 1,000 feet. Over 34" to 1½" inclu- sive 800 feet.
Tubing:
Carbon and alloy steel:
Cold drawn or hot finished:
Over 1½" to 3" inclusive 600 feet. Over 3" to 6" inclusive 400 feet. Over 6" 250 feet.
Over 3" to 6" inclusive 400 feet
Over 6'' 050 inclusive=== 100 feet
Titles and miles appointed
Wire and wire products: Hot rolled wire rods 5 net tons.
Hot rolled wire rods 5 net tons.
Merchant trade products
(Assorted Merchant Prod-
ucts) 5 net tons.
Manufacturing wires (wires
for further fabrication):
Low carbon 1 net ton.
High carbon (0.40 carbon
High carbon (0.40 carbon
and higher) .0475" and
heavier 1 net ton. Under .0475" to .021" 1,000
Under .0475" to .021" 1,000
sputtou
Under .021" 1,000 ft.
Wire rope and strand 500 pounds.
lengths.
Welded wire reinforcing fabric_ (2)
Rails and track accessories:
Guard rail clamps, clip bolts,
nut locks, S-irons, rail
braces3 net tons. Track spikes, track bolts, screw spikes, rail clips, gage
Track spikes, track bolts,
screw spikes, rail clips, gage
rods 5 net tons.
Rail anchors 15 net tons.
Ran anchors is net tons.
COPPER
Brass mill products 200 pounds.
Wire mill products 300 pounds.
11 110 mm broadommenters oof boaten.
ALUMINUM
Sheet and strip 500 pounds.

•	• •
ALUMINUM	
Sheet and stripTubing	
Extrusions	200 pounds.
Wire, rod and bar	200 pounds.

[F. R. Doc. 43-589; Filed, January 12, 1943; 11:11 a.m.]

Chapter XI-Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM-PONENT

[MPR 200,1 Amendment 4]

RUBBER HEELS, RUBBER HEELS ATTACHED AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register*

A new sentence is added to paragraph (a) of § 1315.1406 and in paragraph (g) of § 1315.1420 the text of subparagraphs (1), (2), (3), (4) and (6) is amended

17 F.R. 6259, 6936, 7835, 8948, 10008.

and a new subparagraph (7) is added, all as set forth below:

§ 1315.1406 Marking and posting.

(a) * * * The unit of sale container of a rubber heel manufactured in accordance with the specifications of a war procurement agency but which has been rejected by that war procurement agency because of defects that do not affect serviceability, shall be marked with the words "War Reject."

§ 1315.1420 Appendix A: Maximum prices for rubber heels, rubber heels attached and attaching of rubber heels.

(g) * * *

(1) "Super grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

(2) "Standard grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

(3) "Competitive grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, bearing the following brand names and made by the following manufacturers:

(4) "Special competitive grade" means war rejects manufactured on or after September 1, 1942, and all rubber heels manufactured before that date, the brand names of which are not specifically listed in this paragraph (g) and all such rubber heels bearing the following brand names and made by the following manufacturers:

(6) Except as provided in subdivision (i) of this subparagraph, grades "V-1", "V-2", "V-3", and "V-4" mean rubber heels manufactured after August 31, 1942, which can meet the following physical tests:

(i) Any rubber heel manufactured after August 31, 1942, which contains fibers derived from square woven fabrics, or other scrap materials, shall be deemed to be a V-4 heel if it has a minimum abrasion of 30 and if it is made without washers.

(7) "War reject" means a rubber heel manufactured in accordance with the specifications of a war procurement agency which has been rejected by that agency because of defects that do not affect serviceability.

§ 1315.1419a Effective dates of amendments. * * *

(d) Amendment No. 4 (§§ 1315.1406 (a); 1315.1420 (g) (1), (2), (3), (4), (6) and (7)) to Maximum Price Regulation No. 200 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-568; Filed, January 11, 1943; 4:32 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 185,1 Amendment 5]

CANNED FRUITS AND CANNED BERRIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1341.114 (d) is amended and § 1341.114 (e) is added as set forth below.

§ 1341.114 Effective dates of amendments. * *

(d) Amendment No. 4 (§§ 1341.102 (k) and 1341.114 (d)) to Maximum Price Regulation No. 185 shall become effective July 29, 1942.

(e) Amendment No. 5 (§ 1341.114 (d) and (e)) to Maximum Price Regulation No. 185 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-567; Filed, January 11, 1943; 4:33 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS [MPR 289,1 Amendment 1]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1351.1520, paragraph (a) (2) and paragraph (b) (2), and § 1351.1521 of Maximum Price Regulation No. 289 are amended to read as set forth below. Section 1351.1518a is added.

§ 1351.1520 * * * (a) * * *

(2) If a manufacturer or a wholesaler is unable to determine his maximum selling price under the foregoing, he shall determine his maximum selling price as follows:

(i) His maximum selling price shall be the maximum selling price of his most closely competitive seller of the same class for the particular grade and "package type" of butter to a purchaser of the

same class.

(ii) If a manufacturer or a wholesaler is unable to determine his maximum selling price under subdivision (i) of this subparagraph, his maximum selling

^{*}Copies may be obtained from the Office of Price Administration.

¹7 F.R. 5772, 5988, 7530, 8948, 10684, 11075. ¹7 F.R. 10996.

price shall be determined after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth a detailed description of the brand, "package type", and score of the butter item sought to be priced; a statement of facts pointing out why such item cannot be priced under this section; and a statement showing the maximum price for the brand, "package type", and score of the item most simi-lar to that item for which a maximum price is sought of the seller or of his most closely competitive seller of the same class.

(b) * * *

(2) The maximum price per pound for which any grade and package type of butter may be sold or delivered at retail by a retail route-seller, shall be 6½¢ plus the following:

Such seller's net cost, delivered at his customary receiving point less all discounts allowed him, except the discount for prompt payment; however, no charge for local unloading or local trucking shall be included.

§ 1351.1521 Maximum prices for evaporated milk—(a) Sales and deliveries of evaporated milk by manufacturers—(1) Carload lots. (i) The maximum prices for sales and deliveries of evaporated milk by manufacturers thereof in carload lots delivered to the buyer's customary receiving point shall be as set forth in Table G below:

TABLE G						
If delivered in—	Carton of 48 14½ oz. cans	Carton of 48 6 oz. cans	Carton of [6 6 oz. cans	Carton of 6 8 lb. cans		
Zone 1 Zone 2 Zone 3	Per carlon \$1, 10 4, 20 4, 20	Per carlon \$2.05 2.10 2.10	Per carlon \$4.10 4.20 4.20	Per carten \$4.10 4.20 4.20		

The above zones are:

Zone 1. Virginia (except the City of Alexandria), West Virginia, North Carolina; South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Ken-tucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Colorado, New Mexico, Wyoming; and Armstrong, Allegheny, Beaver, Butler, Fayette, Greene, Mercer, Lawrence, Washington, Bedford, Blair, Cambria, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Somerset, Venango, and Westmoreland Counties of Pennsylvania; and Allegany and Garrett Counties of Maryland.

Zone 2. District of Columbia, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, all of the counties of Pennsylvania and Maryland not included in Zone 1, and the City of Alexandria, Virginia.

Zone 3. Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

(ii) If evaporated milk is delivered by the manufacturer to the buyer's customary receiving point at the following points within Zones 1 and 3, the maximum price shall be the appropriate price in Table G, plus 10¢ per carton for cartons of 48 141/2 oz. cans, 96 6 oz. cans, and 6 8 lb. cans, and 54 per carton for cartons of 48 6 oz. cans.

Zone 1. Deliveries to all of New Mexico except Clayton, Dawson, Raton, Artesia, Carlsbad, Roswell and Hobbs; and deliveries to Sheridan, Greybull and Worland in Wyoming.

Zone 3. Deliveries to all of Arizona except Yuma; deliveries to Needle, El Portal and Alturas in California; deliveries to Montana; and deliveries to Boulder City, Fly, McGill and Las Vegas in

(2) Less than carload lots—(i) Sales and deliveries to retail stores and to food processors. The maximum price for sales of evaporated milk by manufacturers in less than carload lots where delivery is made by the manufacturer to the physical premises of a retail store or to the physical premises of a food processor shall be the appropriate price in subparagraph (1) of this paragraph plus the following:

15¢ per carton for cartons of 48 1412 oz. cans, 96 6 ez. cans, and 6 & 1b. cans; 71/2¢ per carton for cartons of 43 6 oz. cans.

This subdivision shall not apply to cales where delivery is made to the warehouse of the retail store.

(ii) Other sales and deliveries. The maximum prices for all other sales and deliveries of evaporated mill: by manufacturers in less than carload lots delivered to the buyer's customary receiving point shall be the appropriate price in subparagraph (1) of this paragraph plus the following:

5¢ per carton for cartons of 48 141/2 62, cans, 98 6 oz. cans, and 6 8 lb. cans;

212¢ per carton for cartons of 48 6 cz. cans.

(3) All maximum prices established under subparagraphs (1), (2) and (3) of this paragraph must be reduced by the seller's customary discounts or allowances for cash or prompt payment. However, any discount, allowance, or other price differential may always be given where it results in a price less than the maximum price.

(b) Exempt sales. The provisions of this section shall not be applicable to sales of evaporated milk at wholesale or at retail. Sales at wholecale shall be priced under the provisions of Maximum Price Regulation No. 237; sales at retail shall be priced under the provisions of Maximum Price Regulation No. 230.3

(c) Definitions: Evaporated mill:. "Evaporated milk" means evaporated milk as defined in "Standards of Iden-tity of Evaporated Milk" promulgated by the Food and Drug Administration and published in the FEBERAL REGISTER of July 2, 1940, 5 F.R. 2444.

§ 1351.15183 Effective dates of amend-ents. (a) Tois Amendment No. 1 ments. (9§ 1351.1520 (a), (b), 1351.1521, 1351.-1518a) to Maximum Price Regulation No. 239 shall become effective on the 16th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943. Leon Heinerson, Administrator.

[F. R. Doc. 43-508; Filed, January 11, 1943; 4:31 p. m.]

PART 1364-FREEH, CURED AND CANNED MEAT AND FISH

[Edviced MPR 163, Amendment 3]

DEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.°

Amended: §§ 1364.401 (c); 1364.497 (b); added: Paragraph (f) to § 1364.497; § 1364.415 (c).

§ 1364.401 Prohibition against selling beef and real carcasses and wholesale cuts, and processed products at prices above the maximum.

(c) Maximum prices for slaughtering services. Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed beef or veal carcass, or of the wholesale cuts derived therefrom, to such purchaser equal to or less than the costs which would be in-curred by the purchaser if he purchased the carcass or cuts from the slaughterer at the slaughterer's maximum prices therefor: Provided, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses or cuts for resale in any form: Pravided further, That this requirement shall not apply with respect to the slaughter of cattle or calves for a purchaser who recells the meat derived therefrom other than at retail in those cases where the following circumstances exist and the slaughterer and purchaser have filed with the appropriate district, state, or re-gional office of the Office of Price Administration evidence based upon regular business records showing that: (1) the claughterer during the period January 1941 to March 1942, inclusive, (i) did not sell any beef or yeal carcasses or wholesale cuts and (ii) regularly slaughtered cattle or calves for such purchaser on a continuing contractual basis; and (2) during such period the purchaser (i) did not himself slaughter cattle or calves and (ii) procured at least 75 percent of the beef or veal sold by him from cattle or calves slaughtered for him by such slaughterer.

If the slaughterer sold no yeal carcass or cuts of the relative grade during the

²⁷ F.R. 8205, C427, 8203, 9183, 9373, 16913,

^{10715.} *7 F.R. 8209, 8808, 9184, 10013, 10227, 10714; 8 F.R. 120.

Copies may be obtained from the Office of Price Administration.

¹⁷ F.R. 10331, 10719, 8 F.R. 164.

base period, March 16 to 28, 1942, inclusive, his maximum prices within the meaning of this paragraph for carcasses or wholesale cuts of such grade shall be the maximum prices of the most nearly competitive seller who sold veal carcasses or wholesale cuts of such grade during the base period.

To enable the slaughterer to determine the amount to be remitted to the purchaser it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves

'slaughtered.

§ 1364.407 Records and reports. * * *

(b) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, or veal wholesale cut, processed product, or other meat item subject to this revised regulation, on or after December 16, 1942, in the course of trade or business or otherwise dealing therein, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the quantity, grade or grades and weight of all beef carcasses, beef wholesale cuts, veal carcasses, veal wholesale cuts, processed products or other meat items subject to this revised regulation sold, and the price charged or received therefor.

(f) Every person making a sale of any beef carcass, beef wholesale cut, veal carcass, veal wholesale cut, processed product or other meat item subject to this revised regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller: identifying each such item sold; and setting forth the quantity, the grade, including sex identification as to cow, stag, and bull, and the weight thereof, and the price charged and received therefor, including a separate statement of the transportation and local delivery charge as required by § 1364.454 (a) (6).

§ 1364.415 Effective date of amend-

ment. * * *

(c) Amendment No. 3 (Amended: \$\\$ 1364.401 (c); 1364.407 (b); Added: \$\\$ 1364.407 (f); 1364.415 (c) to Revised Maximum Price Regulation No. 169 shall become effective January 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943. LEON HENDERSON. Administrator.

[F. R. Doc. 43-565; Filed, January 11, 1943; 4:31 p. m.]

> PART 1389—APPAREL [MPR 287,1 Amendment 1]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment is issued herewith and filed with the Division of the Federal Register.*

A new § 1389.356a is added; in § 1389.365 (a), subparagraphs (1) and (2) are amended.

§ 1389.356a Special pricing rules—(a) Optional method of pricing garments contracted to be sold prior to December 15, 1942. Rule 10. Any manufacturer, including a manufacturing-retailer, may establish the maximum price for those garments which he contracted to sell prior to December 15, 1942, by Rule 10. He may use Rule 10 only for those garments which he has contracted to sell in the same selling price lines and category numbers that he has listed in his Pricing Chart prepared pursuant to § 1389.353 (a) or in the supplement to his pricing chart prepared pursuant to Rule 11 paragraph (c) of this section. A manufacturer is not required to use Rule 10, but may do so at his option.

(b) How to use Rule 10. A manufacturer shall establish his maximum price by taking a margin over direct cost no higher than the maximum allowable margin listed for that selling price line and category number in his pricing chart.

Example: Assume that on December 10, 1942, the manufacturer whose report is illustrated in Appendix B (§ 1389.371) contracted to sell 1,000 dresses of style 629, in Category Number 22, at \$3.75, less 8%. On January 8, 1943, he places into production 100 dresses of this order. His direct cost of manufacturing the Style 629 garment is \$2.80. His Pricing Chart indicates that his maximum allowable margin for his \$3.75 selling price line in Category Number 22 is 22 percent. He may sell these 100 dresses of Style 628 at \$3.59, less 8%. The \$3.59 selling price is calculated by taking a 22% margin on \$2.80 cost. These garments may be sold in a \$3.59 selling price line even though the manufacturer does not have a \$3.59 selling price line listed in his pricing chart.

(c) Optional selling price lines. Rule 11. In addition to the selling price lines which a manufacturer has listed in his Pricing Chart, prepared pursuant to § 1389.353 (a) he may also, at his option, sell garments in any selling price line at which he actually delivered garments of that category number during March 1942. He shall take as his maximum allowable margin, the maximum allowable margin listed in the pricing chart, prepared pursuant to § 1389.353 (a), for the selling price line, in the same category number, which is next lower to the selling price line in which the garment is being sold.

EXAMPLE: Assume that the manufacturer whose report is illustrated in Appendix B (§ 1389.371) also delivered dresses in Category No. 22 during March 1942 at \$7.75 and \$5.50. These selling price lines are not listed in his pricing chart because on the occasion of the first cutting of these styles, they were offered to his general trade at \$6.75 and \$5.75

respectively. Rule 11 gives the manufacturer the option to use \$7.75 and \$5.50 as additional selling price lines. Garments which he sells in a \$7.75 selling price line must have a maximum allowable margin of 46%, and a minimum allowable cost of \$4.19. Garments which he sells in his \$5.50 selling price line must have a maximum allowable margin of 27% and a minimum allowable cost of \$4.02.

However, before a manufacturer may deliver any garments which he prices under Rule 11, he must first (1) file with his appropriate district or state office of the Office of Price Administration a supplement to his pricing chart in the same form as that required for the filing of the original pricing chart, including also a statement setting forth that the supplement to the pricing chart is filed pursuant to Rule 11, and (2) receive an acknowledgment from the Office of Price Administration of the receipt by it of this supplement to the pricing chart. .

§ 1389.365 Relation of this regulation to other maximum price regulations—(a) Maximum Price Regulation No. 153, as amended "-(1) In stock or in process of manufacture. A manufacturer may, at his option, sell and deliver prior to February 1, 1943 any garments which were in stock or in the process of manufacture on December 15, 1942 at prices no higher than the maximum prices established under Maximum Price Regulation No. 153, as amended, or under § 1499.2 (a) of the General Maximum Price Regulation, except that as to manufacturing-retailers the date shall be March 1, 1943 instead of February 1, 1943.

(2) Recuts and reorders. (i) A manufacturer may, at his option, sell and deliver prior to February 1, 1943 garments which are recuts and reorders of styles which were priced under § 1389.3 (b) of Maximum Price Regulation No. 153, as amended and which were manufactured for ultimate sale at retail during the fall and winter season of 1942-43 at the prices so established, except that as to manufacturing-retailers the date shall be March 1, 1943 instead of February 1, 1942.

(ii) A manufacturer may, at his option, sell and deliver prior to February 1. 1943 garments which are recuts or reorders of styles priced under § 1499.2 (a) of the General Maximum Price Regulation at the prices so established, provided that they were in the process of manufacture on or before December 23, 1942, except that as to manufacturing-retailers the date shall be March 1, 1943 instead of February 1, 1943. If these garments are put in process of manufacture after December 23, 1942, they shall be priced under this regulation.

§ 1389.369a Effective dates of corrections and amendments.

^{*}Copies may be obtained from the Office of Price Administration.

¹⁷ F.R. 10460; 8 F.R. 323.

²⁷ F.R. 4381, 5869, 7010, 7535, 8946, 10081, 8878, 8946, 10081, 8 F.R. 129.

³7 F.R. 3153, 3330, 3666, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 3990, 9732, 10155, 10454.

Cribbing blecks, all sizes up to and

(b) Amendment No. 1 (§§ 1389.356a, 1389.365 (a) (1), (2), and 1389.369a (b)) to Maximum Price Regulation No. 287 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,

Administrator.

[F. R. Doc. 43-563; Filed, January 11, 1943; 4:31 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[Revised MPR 218,1 Amendment 1]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The title is amended to read as set forth above.

The words "Central Appalachian" are deleted wherever they appear in the preamble and in the following portions of the regulation, and the word "Eastern" is substituted, to wit: §§ 1426.51 (a); 1426.52 (a) and (c); 1426.59 (a); 1426.60 (d); and 1426.62 (b).

The first paragraph under § 1426.52 (b) is amended; paragraphs (b), (c), and (f) of § 1426.53 are amended; paragraphs (b) and (c) of § 1426.61 are amended; and a new § 1426.63 is added, all to read as set forth below:

§ 1426.52 To what transactions, products and persons this regulation applies * * *

(b) What products are covered. This regulation covers all wooden mine materials and industrial blocking, produced in the States of Ohio, West Virginia, Virginia, Maryland, Pennsylvania, New York, Indiana, Illinois, Missouri and that part of the State of Arkansas north of the Arkansas River, whether treated or untreated.

§ 1426.53 Maximum prices, * * *
(b) Cross bars (mixed oak and hard-woods).

All sizes up to and including 6" x 7"_ \$29.00 All sizes 6" x 8" and larger_____ 31.00 For specified lengths 18' and longer add \$3.00 per M'BM.

(c) Short mine material (Mixed oak and hardwoods 3' and under)

*Copies may be obtained from the Office of Price Administration.

¹7 F.R. 9824.

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§ 1426.61 Relation to other regulations.

(b) Specific hardwood lumber maximum price regulations. The provisions of this Revised Maximum Price Regulation 218 supersede the provisions of Maximum Price Regulation 223 "-Northern Hardwood Lumber, Maximum Price Regulation 155 3—Central Hardwood Lumber, Maximum Price Regulation 146 -Appalachian Hardwood Lumber, and Revised Maximum Price Regulation 975-Southern Hardwood Lumber as to sales of Eastern Wooden Mine Materials and Industrial Blocking produced in regions covered by those regulations. All specific prices for Eastern Wooden mine materials and industrial blocking authorized for particular mills under the special grade provisions of Maximum Price Regulations 223, 155, 146, and 97, are hereby revoked, and are superseded by the maximum prices established by this Revised Maximum Price Regulation No. 218.

(c) Revised Maximum Export Price Regulation. The maximum prices for export sales of Eastern wooden mine materials and industrial blocking are governed by the Revised Maximum Export Price Regulation.

1426.63 Effective dates of amendment. (a) Amendment No. 1 (Title, Praamble, §§ 1426.51 (a); 1426.52 (a), (b) and (c); 1426.53 (c), (f) and (g); 1426.59 (a); 1426.60 (d); 1426.61 (b) and (c); 1426.62 (b); and 1426.63) to Revised Maximum Price Regulation 218 shall become effective January 11, 1943.

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²⁷ FR. 7445, 6345; 8 FR. 121.

^{*7} FR. 4103, 4231, 7202, 7780, 8385, 5948. 47 PR. 3770, 4179, 4852, 5520, 6033, 6333, 7609, 7747, 8193, 6359, 6324, 6348.

⁵⁸ F.R. 142.

^{°7} F.R. 5059, 7242, 8329, 8020, 10530.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943.

LEON HENDERSON,

Administrator.

[F. R. Doc. 43-564; Filed, January 11, 1943; 4:31 p. m.]

PART 1499—COMMODITIES AND SERVICES [Amendment 86 to Supp. Reg. 14 to GMPR 2]

STORAGE OF GRAIN AND RICE BY CERTAIN WAREHOUSE COMPANIES IN CALIFORNIA

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subparagraph (54) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(54) Storage of grain and rice by certain warehouse companies in California. Maximum prices for the storage of grain and rice by all warehouse companies in the State of California subject to Decisions Nos. 35333 (dated May 5, 1942) and 35520 (dated June 23, 1942) of the California Railroad Commission in Application No. 23608 and Case No. 4544 shall be the prices authorized by the California Railroad Commission in said decisions, namely, \$1.50 per ton per season for

storage and handling of grain and \$1.75 per ton per season for storage and handling of rice, subject to all rules and regulations contained in pertinent tariffs on file with the California Railroad Commission on June 1, 1942, as subsequently amended pursuant to said decision.

(b) Effective dates. * * * (87) Amendment No. 86 (§ 1499.73 (a) (54)) to Supplementary Regulation No. 14 shall become effective January 16, 1943

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

 Issued this 11th day of January 1943.
 Leon Henderson, Administrator.

[F. R. Doc. 43-562; Filed, January 11, 1943; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 213 Under § 1499.3 (b) of GMPR]

M'KEON CANNING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1449 Authorization of maximum prices for sales of Fancy Golden Hominy and Fancy White Hominy, 29-ounce glass containers by the McKeon Canning Company, Inc., Burbank, California, and by wholesalers and retailers.

(a) On and after January 12, 1943, the maximum price for sales by the McKeon Canning Company, Inc., Burbank, California of Fancy Golden Hominy and Fancy White Hominy packed in 29-ounce size glass containers shall be \$1.30 per dozen f. o. b. factory.

(b) Wholesale grocers shall determine their maximum prices for Fancy Golden Hominy and Fancy White Hominy packed by McKeon Canning Company, Inc. by multiplying their net delivered cost of these items by 1.135.

Net delivered cost for wholesale grocers when used in this paragraph means the invoice price for 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy packed by the McKeon Canning Company, Inc., Burbank, California, delivered in a customary quantity by a customary mode of transportation to the wholesaler's customary receiving point, less all discounts allowed, except the discount for prompt payment. No charge or cost for local unloading or local trucking shall be included in net delivered cost.

(c) Retailers shall determine their maximum prices for Fancy Golden Hominy and Fancy White Hominy packed by McKeon Canning Company, Inc. by multiplying their net delivered cost by 1.250.

Net delivered cost for a retailer when used in this paragraph means his invoice price for 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy packed by the McKeon Canning Company, Inc., Burbank, California, delivered to his customary receiving point in a customary quantity by a customary mode of transportation and from a customary source of supply, less all discounts allowed him except the discount for prompt payment. No charge or cost for local unloading or local trucking shall be included.

Where a maximum price per container size determined by the provisions of this paragraph is a fractional part of a cent and the fraction of a cent is less than one-half cent the price per container size shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per container size to the next higher cent.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable items in making sales of 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 12, 1943, the McKeon Canning Company, Inc., shall supply a written notification to each wholesaler at the time of the first delivery of 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy to such wholesaler and for a period of three months thereafter and shall include with each shipping unit of 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed". The written notification for each type of purchaser shall include the following statements:

Notification from McKeon Canning Company, Inc. to Wholesalers

The OPA has authorized us to charge wholesalers \$1.30 per dozen f. o. b. factory for 29-ounce size glass containers of Fancy Golden Hominy and Fancy White Hominy subject to all customary allowances and discounts. Wholesalers are authorized to establish a ceiling price by multiplying their net

^{*}Copies may be obtained from the Office of Price Administration. 17 F.R. 5486, 5709, 6008, 6271, 6369, 6477,

¹⁷ F.R. 5486, 5709, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6783, 6887, 6892, 6776, 6339, 7011, 7012, 6965, 7250, 7289, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7611, 7635, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8850, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9395, 9496, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005, 27 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5265, 5445, 5776, 5784, 5783, 6058, 6081, 5484, 5565, 6007, 6216, 6615, 5794, 6939, 7093, 7322, 7454, 7758, 7913, 1431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454.

delivered cost of these items by 1.135. Net delivered cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by multiplying their net delivered cost by 1.250. Each individual ceiling price determined by any seller shall be figured to the nearest even cent (raise one-half cent fractions to the next even cent). A copy of notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this note for examination.

Notification from McKeon Canning Company, Inc. to Retailers

The OPA authorizes retailers to establish ceiling prices for Fancy Golden Hominy and Fancy White Hominy packed in 29-ounce size glass containers by multiplying their net delivered cost by 1.250. Net delivered cost is the invoice cost at the customary receiving point, less all discounts other than for prompt payment, and excluding charges for local hauling. Such celling price shall be figured to the nearest even cent (raise onehalf cent fractions to the next even cent). OPA requires that you keep this notice for examination.

- (f) This Order No. 213 may be revoked or amended by the Price Administrator at any time.
- (g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.
- (h) This Order No. 213 (§ 1499.1449). shall become effective on January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 11th day of January 1943. LEON HENDERSON, Administrator.

[F. R. Doc. 43-561; Filed, January 11, 1943; 4:32 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 156 Under § 1499.18 (b) of GMPR]

EMMRICH COFFEE COMPANY

Order No. 156 under § 1499.13 (b) of the General Maximum Price Regulation-Docket No. GF3-2157.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1057 Authorization of maximum prices for sale of roasted coffee by the Emmrich Coffee Company, Inc. to the State of Oregon. (a) The Emmrich Coffee Co., Inc., of Portland, Oregon, is hereby authorized to sell to the State of Oregon, roasted coffee f. o. b. Portland, Oregon packed in the specified containers at the prices named below:

Per pound 1.0.b.Portland

Coffee Santôs &s, Roasted and Ground, or Whole Bean, 50 and 100 lbs, caelis. . 1785 Coffee Santos 2 3's, Roasted and Ground or Whole Bean, 59 and 100

Coffee, Highest Grade Blend, packed by cach bidder in vacuum cans or otherwise. Reacted and Communications otherwise, Roasted and Ground, or Whole Bean:

100 lb. sacks__ 12/3 lb. vacuum tins________. 2620 12/2 lb. vacuum tins_______. 2520 12/1 lb. glassine lined coffee bagg... .2310

- (b) Emmrich Coffee Company, Inc. is required to continue the same discount or allowance for prompt payment, if any, granted the State of Oregon in March 1942.
- (c) The Emmrich Coffee Company, Inc. shall accompany their first delivery of roasted coffee to the State of Oregon with a written statement of their maximum prices as established by this order.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 156 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 156 (§ 1499.1057) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 156 (§ 1499.1057) shall become effective January 13, 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O.

9250, 7 F.R. 7871) Issued this 12th day of January 1943. LEON HEMBERSON,

[F. R. Doc. 43-577; Filed, January 12, 1943; 10:11 a. m.]

Administrator.

PART 1499—COMMODITIES AND SERVICES [Order 12 Under § 1499.29 of GMPR]

PENNSYLVANIA SALT MANUFACTURING CO.

Order No. 12 under § 1499.29 of the General Maximum Price Regulation-Docket No. GF3-2935.

For the reasons set forth in an opinion issued simultaneously herewith, It is or-

§ 1439.412 Adjustment of maximum prices for sales of alumina hudrate by the Pennsylvania Salt Manufacturing Company. (a) Notwithstanding anything to the contrary contained in the General Maximum Price Regulation, the Pennsylvania Salt Manufacturing Company of Philadelphia, Pannsylvania, may sell and deliver and the Metals Reserve Company of Washington, D. C., may buy, under the contract entered into by said companies on or about December 7, 1942, a total amount not in excess of 1500 tons of alumina hydrate produced in the Pennsylvania Salt Manufacturing Company's plant in Natrona, Pennsylvania since August 31, 1942 at prices not in excess of those set forth below:

83.10 per 100 pounds in bags, f. o. b. Natrona, Penncylvania; trade practices and price differentials in effect during March 1942 by Pannaylvania Salt Manufacturing Company for packages other than bags may be used in determining maximum prices for other pack-

(b) The contract entered into by the Pennsylvania Salt Manufacturing Company with the Metals Reserve Company on or about December 7, 1942 at the price requested in the application shall be revised in accordance with the terms of this order. Any payment made to Pennsykania Salt Manufacturing Company under such contract in excess of the maximum price authorized by this order shall be refunded to the purchaser, and within thirty days after publication of this order in the FEDERAL REGISTER,* the Pennsylvania Salt Manufacturing Company shall file a statement with the Office of Price Administration in Washington. D. C., to the effect that such contract has been revised in accordance with the terms of this order, and wherever required refunds have been made.

(c) All prayers of the applicant not granted herein are denied.

(d) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 12 (§ 1499.412) is hereby incorporated as a section of Supplementary Regulation No. 4.

(f) This Order No. 12 (§ 1499.412) shall become effective January 13, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 12th day of January 1943. LEON HENDERSON. Administrator.

[F. R. Doc. 43-576; Filed, January 12, 1943; 10:13 a. m.]

^{*}Copics may be obtained from the Office of Price Administration.

Chapter XIII—Petroleum Administration for War

PART 1545-PETROLEUM SUPPLY [Petroleum Administrative Order 1, as Amended Jan. 11, 1943]

Section 1545.1 Petroleum Administrative Order No. 1 is hereby amended to read as follows:

§ 1545.1 Petroleum Administrative Crder No. 1-(a) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.
(2) "Motor fuel" means liquid fuel,

including Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any liquid petroleum product used for the same purposes as the above designated grades.

(4) "Refinery" means any manufacturing establishment within District One which processes, refines, or compounds crude petroleum or finished or unfinished petroleum products, including, but not limited to, the terminal, storage, and distribution facilities at such establishment.

(5) "Bulk terminal" means any terminal or storage facility within District One to which motor fuel or fuel oil from any point outside of the District is de-

livered for redelivery.
(6) "Supplier" means any person des-

ignated as such on Schedule A.
(7) "Secondary supplier" means any person other than a supplier who regularly receives motor fuel or fuel oil for redelivery.

(8) "District One" means the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Is-land, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida (east of the Apalachicola River), and the District of Columbia.

(9) "Zone" means any of the six territorial divisions of District One, as follows:

Zone 1: The States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

Zone 2: The entire eastern part of the State of New York up to and including the Counties of Cayuga, Tompkins, and Chemung; the entire eastern part of the State of Pennsylvania up to and including the Counties of Bradford, Sullivan, Columbia, Montour, Northumberland, Dauphin, and York; and

the States of New Jersey and Delaware.

Zone 3: The States of Maryland and Virginia and the District of Columbia.

Zone 4: The States of North Carolina and

South Carolina.

Zone 5: The State of Georgia and that part of the State of Florida east of the Apalachicola River.

Zone 6: That part of the States of New York and Pennsylvania not included in Zone 2, and the State of West Virginia.

"Quota" means the specific quantities of motor fuel and fuel oils. specified on Schedule A to be available to any supplier for delivery or withdrawal in each zone of District One from bulk terminals and refineries located in such zone during each quota period specified on Schedule A, excluding withdrawals or deliveries for export: Provided, That direct deliveries of motor fuel or fuel oil to any person within any zone by any supplier from any point outside of District One other than deliveries to a refinery or bulk terminal owned or operated by a supplier shall be deemed to be a delivery or withdrawal by the delivering supplier from a bulk terminal or refinery in the zone in which the delivery is made.

(11) "Quota period" means the period o of time specified in Schedule A for the withdrawal or delivery by any supplier of any quota assigned on such schedule to such supplier.

(b) Restrictions on delivery of motor fuel and fuel oil. (1) No supplier shall withdraw or deliver, or cause to be withdrawn or delivered, any motor fuel or fuel oil from any bulk terminal or refinery in District One in any quota period except:

(i) Withdrawals or deliveries of any motor fuel or fuel oil from any refinery or bulk terminal for delivery to any bulk terminal in District One; or

(ii) As specifically directed by the Petroleum Administrator for War pursuant to a directive issued under paragraph (c) of this order; or

(iii) As specifically authorized upon application filed under paragraph (f) of this order; or

(iv) As permitted under the terms of

paragraph (d) of this order.

paragraph (d) of this order.

The Petro-(c) Directed deliveries. leum Administrator for War may at any time issue specific directions to any supplier or secondary supplier with respect to the withdrawal or delivery of any motor fuel or fuel oil.

(d) Unrestricted deliveries. drawals or deliveries of any motor fuel or fuel oil from any refinery or bulk terminal for delivery to another supplier pursuant to (1) the provisions of Directive 59 of the Petroleum Coordinator for War, 7 F.R. 7759, and any amendments or modifications thereof, (2) repayments of loans, or (3) exchanges, shall not be deducted from the quota of the delivering supplier but such deliveries, if not otherwise exempt from quota restrictions under the provisions of this order, shall be deemed to have been withdrawn from a bulk terminal or refinery by the receiving supplier.

(e) Permitted deliveries. (1) Nothing contained in this order shall restrict the withdrawal or delivery by any supplier from any bulk terminal or refinery of the quantities of motor fuel and fuel oil listed on Schedule A, as the quota of such supplier: Provided, That all of the following conditions are met:

(i) Any such withdrawal or delivery is made within the quota period specified on Schedule A for the withdrawal or delivery of such quota:

(ii) The quantity of any such withdrawal or delivery by the supplier does not, when added to all preceding deliveries and withdrawals by such supplier during the quota period, exceed any quota specified on Schedule A for such supplier;

(iii) Such withdrawal or delivery is made, so far as practicable, so that the quota against which it is charged will be withdrawn or delivered ratably during

the quota period;

(iv) Such withdrawal or delivery is made for ultimate use within the zone in which is located the bulk terminal or refinery from which the withdrawal or delivery is made: Provided, That this limitation shall not apply to any delivery between zones which are made in the established and regular course of business, and such deliveries shall be charged against the quota of the delivering supplier in the zone from which the delivery is made.

(f) Inventory restrictions. No person may deliver or otherwise supply motor fuel or fuel oil to any storage location (other than a refinery or bulk terminal) owned, operated or controlled by such person or by any other person and no person may accept delivery of:

(1) Motor fuel at such a storage location where the amount of motor fuel at such storage location is equal to or exceeds the amount of motor fuel which would normally be withdrawn from such storage location to meet rationed demands during the 10 days next following the date upon which the delivery is made;

(2) Fuel oil at such a storage location where the amount of fuel oil at such storage location is equal to or exceeds the amount of fuel oil which would normally be withdrawn from such storage location under normal weather conditions to meet rationed demands during the 10 days next following the date upon which the delivery is made:

Provided, (i) That any single delivery of motor fuel or fuel oil by means of a transportation facility generally used in such delivery, which brings the amount of motor fuel or fuel oil at such a storage location to an amount equal to or in excess of the foregoing amounts, may be completed, and (ii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel or fuel oil to any agency referred to in paragraph (g), and (iii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel to any retail filling station or to the delivery of fuel oil to any private dwelling (as defined in Ration Order No. 11, as amended, issued by the Office of Price Administration).

(g) Preferential deliveries. Each supplier shall, in making any withdrawal or delivery of motor fuel or fuel oil, give preference to the requirements of the Army and the Navy of the United States, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, and the Office of Lend-Lease Administration; and any supplier shall, upon demand by any one of the said agencies withdraw and deliver to such agency any part or all of such supplier's undelivered quota.

(h) Application for authorization. Each supplier seeking authorization to withdraw or deliver motor fuel or fuel oil pursuant to paragraph (b) (1) (iii) hereof, shall apply in writing to the Petroleum Administrator for War, setting forth the pertinent facts and the reasons he considers such withdrawal or delivery to be necessary in the public interest.

(i) Records. All suppliers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning withdrawals and deliveries by such suppliers from bulk terminals and refineries.

(j) Reports. Each supplier to whom this order applies shall file with the Petroleum Administrator for War by noon of each Monday a report for each zone in which such supplier has a quota, stating the quantity of motor fuel and fuel oil broken down by grades, withdrawn or delivered by him from any bůlk terminal or refinery in each zone during the week ending at the close of business on the preceding Wednesday.

(k) Communications. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: The District Director in Charge, Fetroleum Administration for War, 122 East 42nd Street, New York, New York, Ref: PAO 1.

(1) Appeals. Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. \

(m) Violations. Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(n) Effective date. This order shall be effective on and after the date of

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 11th day of January 1943. RALPH K. DAVIES, Acting Petroleum Administrator for War.

c.

SCHEDULE A

District One-Zone One-Jonuary 1943 (let to Sist, inclume) quotas expressed un barrels per day

Eupplier	Caroline	Kerecone	Distillate fuel oil	Eislänel faeloll
merican Bitumuls Co merican Minerals Spirits Co tlantio Refining Co., The lites Ervice Oil Co. (Pa.) rown Central Petroleum Corp		********	514	
merican Alinerals Spirits Co	*********	173	527	8
lantic Relining Co., The.	2,63	2,5.0	4,477	2.03
ties Ecryles Oil Co. (Po.)	ر برائ	4,000	6,712	2,0
own Cental Petroleum Corp	15.7	34	170 152	
ret National Oil Corp	******	8,033	11,043	€, I
ult Oil Corptol Preducts Corp	, west	3,437	2.751	
men & Co		V2 72.30 .	296.24	- E, S.
nttol Products Corp. nes & Co. aritimo Petroleum Corp. nes & Co. n.American Petroleum and Transport Co. no Petrol Corp.		47)	673	
cific Oil Co		737	čšī	
n. American Petroleum and Transport Co.	4,231	8,4:3	6,661	13,7
no Princi Com	7552			
no Petrol Corptroleum Heat & Power Co			1,213	
niney Oil Cochild Oil Corp	23	1.00	613	
chileld Oil Corp	1,831	1, 4 0 410	2,237	
val Petroleum Core	43	410	4:3	2,5
ell Oil Co., Inc. nelair Refining Co.	3,907	4,4:3	5.713 1.037	2,5
ncluir Refining Co.,	531	1,415	1,637	
cony-Vacuum Oil Co., Inc	12,473 8,531	10,415	13,702	4,5
andard Off Co. of N. J		0,073 2,013	15, 157	11,0
ate Fuel Co	*****	2.013	2,005	2
m Oil Co	4,232 5,234	7 7 7 7 7	4. ((3)	4,5
he Texas Co	4.737	7.751 4,017	2.835	24,0
GO WHILL ANTENDA ON CO. ARESUNY (PROCEETARES AND ARESUNE FOR	4, 101	3,1.10	4,203	ì
nited Refining Co		าถี	********	
ble Fuel Corp.		6.23	4,035	
PART T. 1777 F. F. T. I. " - to a construction of the construction		1 4,2.5	7,000	

Alleghany Refiner, Inc	- ສ	83 1.413	3,641	2,00
Aciatia Petraleum Ceru	?		823	1.039
Atlantic Religing Co., The	11, 123	3,000	13,659	14,731
Atlantic Refiging Co., The Central Fetreleum Co. Cities Service Oil Co.	3,619	2.03	7,410	€.431
Crown Central Petroleum Cerp	1,213	4.5	7,410 102 1,877	4
Crown Central Petroleum Cerp	477	1,1:3	6,524	415
Frontier Fuel Oil Corp.				250
Gulf Oil Corp	10,520	3,003	17,234	22,237
Hampaten Terminal Cerp.	1,21	2,775	3,415	
Hoss Brothers		********	*******	212
Home Fuel Oil Co	******	1,765	3,274	51
Jones & Company Kendall Relining Co		7	*********	
Maritime Petrolium Corp.	***********	1,151	2,554 5,875	8.547
Marking Petrolium Corp. Pan-American Petrolium and Trincpor Co. Joseph M. Patterna & Co. Inc. Pennsylvania Refining Co. The Pennsyl Co.	(j a / a	2,2.3	"C32	2.7.5
Pennsylvania Refining Co		19	173	
The Petrol Corp.		*********	4	C.3
Petroleum Heat & Power Co			4,123	
The Pure Oil Co. Quaker State Oil Relining Corp. of Penn	623 52	1,70	2,035 2,703	2,003
Royal Petroleum Corp.	ໄ ເວັ	1.573	4.20	1,093
Shall All Company Inc	E 137	1.423	8,103	2,652 11,663
Sinchir Refining Co	4,631 15,151	3,623 7,631	8,476	11.21)
Sincial Refining Co Secony-Vecuum oil Co., Ice Sonnebern Sons, Ice Standgrd Oil Co. of N. J	1 2	1	27, 104 224	42,017
Standard Oil Co. of N. J.	27,015 10,000 12,215	7.003	37,691	
Sun Oil Co	12.26	1,731 2,531	12,673	9.65) 3.513
The Texas Co	7.859	5,172	13,074	C, 1.3
United Refining Co		211	119	
Valvoline Oil Co Brodford Poun Refining Corp Ashland Oil & Refining Co] 3		10	
Ashland Oil & Refining Co.			100	
Richfield Oil Cerp	4,63	1,723	5,204	

District One-Zone Three-January 1943 (let to Stat, inclusive) quotas expressed in Lands per day

American Bitumuls Co			623	159
American Mineral Spirits Co	*******	43		
Arkansas Fuel Oil Co	434 1,218	524 605	274	579
The Atlantic Refining Co	2300	603	2.13	5
Cities Ervice Oil Co. (Pa)	1 239	102	115	
Continental Oil Co	1,031 95	[3	534	1,022
Elk Refining Co	25	, <u>3</u>	2.33	3,152
Gulf Oil Corp.	3,075	407	والان وك	مُدر لا وق
Hartel Preducts Cerp	6,6:3	753	3,033	1,213
Joseph M. Policron & Co., Inc.				77
The Petral Corp	610	523	1,150	823
Petroleum Heat and Power Co		252	371 C43	
The Pure Oil Company	6:3	292	123	*
Republic Oil Refining Co.	639	131	252	
Richfield Oil Cerp.	2,200	23	1,41)	
Shell Oil Company, Inc.	1 1,623	C21	1,833	724

SCHEDULE A-Continued

District Onc—Zone Three—January 1943 (1st to 31st per day—Contin		quotas exp	ressed in b	arrels
Supplier	Gasoline	Kerosene	Distillate fuel oil	Residual fuel oil
Sinclair Refining Co. Standard Oil Co. of New Jersey. Sun Oil Co. Tho Tersas Co. Tide Water Associated Oil Co. Valvoline Oil Co. Ashland Oil & Refining Co.	1, 372 _10, 559 1, 152 4, 285 539 28 193	441 2, 449 14 1, 211 63 8 40	1, 083 9, 160 615 205 26 34 410	2,372 18,888 317 245
District One-Zone Four-January 1943 (1st to 31st, inc.	usice) quotas	expressed in l	arrels per da	,
		356	60	
Arkansas Fuel Oll Co	1,084 345	344 47 17	51 13 609	57
Guif Oil Corp. Pan American Petroleum & Transport Co. The Pure Oil Company. Republic Oil Refining Co. Richfield Oil Corp.	4, 687 1, 753 2, 270 883 56	999 401 512 361 16	128 489 133	531
Elk Refining Co. Gulf Oil Corp. Pan American Petroleum & Transport Co. The Pure Oil Company. Republic Oil Refining Co. Richfield Oil Corp. Riverside Terminal Co. Shell Oil Company, Inc. Sinclair Refining Co. Standard Oil Co. of N. J. The Texas Co.	302 2,397 2,045 8,733 3,492	37 531 628 2,320 786	335 722 2, 221 217	4 1,547 122
District One—Zone Fire—January 1943 (1st to 31st, inc		expressed in l	l barrels per da	<u> </u> ;
	1	692	49	
Arkansas Fuel Oil Co	1,018	56	100 737	3, 339
Continental Oil Co	5, 340 1, 453 1, 999	859 401 332	957 . £ 68 €00	5, 355 3, 767
Pan American Petroleum & Transport Co	4,013 485 1,767	332 655 108 252	609 194	3,767 1,349 510
Continental Oil Co. Gulf Oil Corp. Orango State Fuel Oil Corp. Pan American Petroleum & Transport Co. The Puro Oil Company. Republic Oil Refining Co. Shell Oil Company, Inc. Sinclair Refining Co. Southeastern Oil Co. Standard Oil Company (Ky.) Standard Oil Company of N. J. Sun Oil Co. The Texas Co.	2, 652 136 6, 533	644 30 1,424	652 7 2,714	5,318
Standard Oil Company of N. J	673 3,361	17 556	262	969
District One—7one Six—January 1943 (1st to 31st inci		xpressed in b	arrels per day	
Allegbany Refiners Co	- 77	67		4
Allegbany Refiners Co. Atlantic Refining Co., The. Bradford Penn Refining Corp. The Canfield Oil Co. Cantelou (S. D.) Petroleum Products. Carbida & Carbon Charges Corp.	5, 205 192 27 49	630 92 66 - 59	233 118	
Carbide & Carbon Chemical Corp Cities Service Oil Company (Pa.) Continental Oil Co Continental Refining Co Crown Central Petroleum Corp	690 690 23 205	259 3		2
Continentia Reining Co- Crown Central Petroleum Corp	422 710 339	154 460	- 72 20 37	4
Frontier Fuel Oil Corp	5,002 437 26	404	703	2,31
Hartol Products Corp. Kendall Refining Co. Maritime Petroleum Corp. Pan-American Petroleum & Transport Co.	1, 134 3, 493 249	- 279 42 142	100	
Continentia Reining Co Crown Central Petroleum Corp. Elk Reining Co Freedom Oil Co. Frontier Fuel Oil Corp. Gull Oil Corp. Hambleton Terminal Corp. Hartol Products Corp. Kendall Refining Co. Maritime Petroleum Corp. Pan-American Petroleum & Transport Co. Pennsylvania Refining Co. Pennsylvania Refining Co. Pennzoll Co., The The Pure Oil Company Quaker State Oil Refining Corp. of Penn Republic Oil Refining Co. Republic Oil Refining Corp.	1,875 643 1,646	171 103 709	215 312 3 280 3 176	1,01 1,01
Republic Oil Refining Co Richfield Oil Corp. Shell Oil Company, Inc Sinclair Refining Co Socony-Vacuum Oil Co., Inc Sonneborn Sons, Inc Standard Oil Co. of New Jersey	264 922 247 1,929	148 65 657	3 186 76 7 428	69
Socony-Vacuum Oil Co., Inc	4, 949 113 7, 499 5, 184	685	232 7 741 7 , 337	49
Standard Oil Co. of New Jersey Sun Oil Co. Texas Co., The. Tido Water Associated Oil Co. United Refining Co.	3,09 87: - 76: 14:	333	9 61	;]
United Refining Co. United Refining Co. Valvoline Oil Co. Waverly Oil Works. Wolf's Head Oil Refining Co., Inc. Ashland Oil & Refining Co.	16° 12 1,56°	7 24	41 7	1

[F. R. Doc. 43-442; Filed, January 11, 1943; 2:31 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration
Part 2—Adjudication: Veterans' Claims

PROOF OF RELATIONSHIP AND DEPENDENCY

§ 2.1046 Evidence to establish age or relationship. Age or relationship for the purpose of payment of any benefits under any law administered by the Veterans Administration shall be established by the best evidence obtainable, as follows:

(a) A certified copy of the public record of birth or a certifled copy of the church record of baptism, the certification to be made by the custodian of such records. If the name of the person appearing on the copy of the record is not the same as that appearing upon the records of the Veterans Administration, an affidavit will be required identifying the person having the changed name as the person whose name appears in the record of birth. A public birth record established more than four years after the birth shall be accepted as proof of age or relationship provided it is not in-consistent with material of record with the Veterans Administration or if it shows on its face that it is based upon evidence which would itself be acceptable under any of the other paragraphs of this section. A record of baptism performed more than four years after birth shall not be accepted as proof of age or relationship unless it is consistent with material of record with the Veterans Administration, which shall include at least one reference to age or relationship made at a time when such reference was not essential to establishing title to the benefit being claimed. Where neither of the foregoing records is furnished, and at the time of birth public records were maintained where the birth occurred, an explanation shall be required as to why a copy of the public record cannot be furnished.

(b) In the absence of a certified copy of the public record or church record mentioned in paragraph (a) of this section, secondary evidence may be accepted as outlined below:

(1) Affidavit of the physician or midwife in attendance at birth, or

(2) Copy of Bible or other family record certified to by a notary public or other officer with authority to administer oaths for general purposes, who should state in what year the Bible or other book in which the record appears was printed, whether the record bears any erasures or other marks of alteration, and whether from the appearance of the writing he believes the entries to have been made recently or at the time reputed, or

(3) Affidavits of two or more persons, preferably disinterested, who shall state their ages, showing the name, date and

place of birth of the person whose age or relationship is being established, and that to their own knowledge such person is the child of such parents (naming the parents), and stating the source of their knowledge, or

(4) A census record.

(c) The fact that evidence to establish age or relationship as outlined in the preceding paragraphs of this section is not obtainable, in a particular case, will not preclude the acceptance of other evidence, such as two or more of the following: insurance policies, school, employment, immigration, and naturalization records. (January 12, 1943.)

(48 Stat. 9; 38 U.S.C. 707)

[SEAL]

Frank T. Hines, Administrator.

[F. R. Doc. 43-559; Filed, January 11, 1943; 4:15 p. m.]

PART 10-INSURANCE

PROOF OF DEATH, AGE, OR RELATIONSHIP

\$10.3008 Evidence to establish date of birth, age, or relationship. Canceled January 12, 1943. (See Sec. 2.1046)

§ 10.3454 Age; evidence to establish date of birth, age, or relationship. Canceled January 12, 1943. (See Sec. 2.1046)

[SEAL]

FRANK T. HINES, Administrator.

[F. R. Doc. 43-560;/Filed, January 11, 1943; 4:15 p. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417, 4417a, 4426, 4433, 4477, 4481, 4482, 4488, 4491, as amended, secs. 2, 7, 45 Stat. 1493, 1494, secs. 2, 7, 49 Stat. 888, 889, 1543, 55 Stat. 578, 49 Stat. 1544, sec. 2 (a), 54 Stat. 1028 (46 U.S.C. and Supp. 375, 391, 391a, 404, 411, 470, 474, 475, 481, 489, 85a, 85f, 88a, 88f, 367, 463a), and Executive Order No. 9083 (7 F.R. 1009), the following amendments to the Inspection and Navigation Regulations and approval of miscellaneous items of equipment for the better security of life at sea are prescribed; and pursuant to the Order of the Acting Secretary of the Navy dated October 1, 1942 (7 F.R. 7979), I find the regulations contained in Part 47 to be necessary in the conduct of the war:

Subchapter E-Load Lines

PART 43-FOREIGN OR COASTWISE VOYAGE

Part 43 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation, Department of Commerce," wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 43.02 is amended to read as follows:

§ 43.02 Responsibility for administration. The Commandant of the U.S. Coast Guard is vested with the responsibility and authority, under direction and supervision of the Secretary of Navy, for the administration of the Act of March 2, 1929, the International Load Line Convention, 1930, and Coastwise Load Line Act, 1935, as amended June 20, 1936.

Section 43.021 is amended by changing the first, third, and fourth undesignated paragraphs to read as follows:

§ 43.021 Control. The District Coast Guard Officer may detain a vessel for survey if such officer has reason to believe that the vessel is proceeding on her voyage in excess of the draft allowed by her load line certificate, due regard being given to the season of the year, or has not been marked with load lines, or has not a valid load line certificate on board.

The District Coast Guard Officer may, by written order, detain provisionally a foreign vessel for survey should such officer have reason to believe that such vessel is submerged below the marks allowed by her certificate, or that such vessel is not marked and certificated as provided by the regulations in this part. If a foreign vessel is detained for these reasons, the District Coast Guard Officer will immediately arrange for a survey in the manner prescribed by sections 7 of the Load Line Act of March 2, 1929 (45 Stat. 1494; 46 U.S.C. 85f), and of the Coastwise Load Line Act, 1935 (49 Stat. 889; 46 U.S.C. 88f).

Should it become necessary for the District Coast Guard Officer to survey a vessel in respect to her load line, such officer shall appoint three surveyors and, wherever practicable, one of them shall be from the surveying staff of the American Bureau of Shipping.

Section 43.110 is amended by changing the first sentences of Forms A1, A2, and A3 to read as follows:

§ 43.110 Forms of load line certificates. * * *

Issued under the authority of the United States of America, Commandant, U. S. Coast Guard, under the provisions of the International Load Line Convention, 1930, and Executive Order 8053.

And the second paragraph of Form B is amended to read as follows:

Iesued under the authority of the Commandant, U. S. Coast Guard, United States of America, under the provisions of the act of March 2, 1929, and Executive Order 8033, to establish load lines for American merchant vessels of 150 gross tons or over engaged in foreign trade.

And the first sentence of Form C1, C2, and C3 are amended to read as follows:

Issued under the authority of the United States of America, Commandant, U.S. Coast Guard, under the provisions of the Coastwics Load Line Act, 1935, and Executive Order 9083.

PART 44—VARIANCE FOR STEAM COLLIERS, TUGS, PARGES, AND SELF-PROPELLED PARGES

Part 44 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," and "Bureau of Marine Inspection and Navigation" wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 44.01 is amended to read as follows:

§ 44.01 Establishment of regulations for special service. Pursuant to the Coastwice Load Line Act, 1935, as amended June 20, 1936 (49 Stat. 838, 1543; 46 U.S.C. Chapter 2A), and Executive Order 9033, vesting the Commandant, U. S. Coast Guard, with discretion to vary the load line marks from those established by the International Load Line Treaty, 1930, on steam colliers, tugs, barges, and self-propelled barges engaged in special services on inter-island voyages, and on coastwise voyages from port to port in the continental United States, the following regulations in this part are hereby established.

Section 44.8 is amended by changing the first paragraph of the form to read as follows:

§ 44.8 Form of load line certificate.

LOAD LINE CENTERICATE FOR A SPECIAL SERVICE COASTAVISE OR INTER-ISLAND VOYAGE

Iccued under the authority of the Commandant, U. S. Coast Guard, United States of America, under the provisions of the Coastwice Load Line Act of August 27, 1935, as amended June 20, 1936, and Executive Order 8023.

PART 45—MERCHANT VESSELS WHEN ENGAGED IN A VOYAGE ON THE GREAT LAKES

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Part 45 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation, Department of Commerce" wherever they appear therein to "Commandant, U. S. Coast Guard."

"Commandant, U. S. Coast Guard."
Section 45.02 is amended to read as follows:

§ 45.02 Responsibility for administration. The Commandant, U. S. Coast Guard, is vested with the responsibility and authority, under direction and supervision of the Secretary of Navy, for the administration of the Coastwise Load Line Act, 1935, as amended by the Act of June 20, 1936.

Section 45.018 is amended by changing the first, third, and fourth undesignated paragraphs to read as follows:

§ 45.018 Control. The District Coast Guard Officer may detain a vessel for survey if such officer has reason to believe that the vessel is proceeding on her voyage in excess of the draft allowed by her load line certificate, due regard being given to the season of the year, or has not been marked with load lines, or has not a valid load line certificate on board.

The District Coast Guard Officer may, by written order, detain provisionally a foreign vessel for survey should such officer have reason to believe that such vessel is submerged below the marks allowed by her certificate, or that such vessel is not marked and certificated as provided by the regulations in this part. If a foreign vessel is detailed for these reasons, the District Coast Guard Officer will immediately arrange for a survey in the manner prescribed by section 7 of the Coastwise Load Line Act, 1935 (49 Stat. 889; 46 U.S.C. 88f).

Should it become necessary for the District Coast Guard Officer to survey a vessel in respect to her load line, such officer shall appoint three surveyors and, wherever practicable, one of them shall be from the surveying staff of the American Bureau of Shipping.

Section 45.80 is amended by changing the first paragraph of the form to read as follows:

§ 45.80 Form of load line certificate.

LOAD LINE CERTIFICATE FOR THE GREAT LAKES

Issued under the authority of the Commandant, U. S. Coast Guard, United States of America, under the provisions of the act of August 27, 1935, and Executive Order 9083, to establish load lines for American merchant vessels of 150 gross tons or over engaged in trade on the Great Lakes of North America.

PART 46—SUBDIVISION LOAD LINES FOR PASSENGER VESSELS

Part 46 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation, Department of Commerce," wherever they appear therein to "Commandant, U. S. Coast Guard"; and "local steamboat inspectors," wherever it appears therein to "Merchant Marine Inspector in Charge."

Section 46.02 is amended to read as follows:

§ 46.02 Responsibility for administration. The Commandant, U. S. Coast Guard, under the direction and supervision of the Secretary of Navy, is vested with the responsibility and the authority to determine the position of and to insure the correct marking of subdivision load lines on all passenger vessels subject to the International Convention for Safety of Life at Sea, 1929, and the Coastwise Load Line Act, 1935, as amended June 20, 1936.

Section 46.015 is amended by changing the first paragraph to read as follows:

§ 46.015 Survey for the establishment and renewal of subdivision load line marks. Every passenger vessel to be marked with and certificated for subdivision load lines must comply with the general rules and regulations as promulgated for ocean, coastwise, and Great Lakes service as applicable to the particular vessel and the service in which she is to be employed.

Section 46.022 is amended to read as follows:

§ 46.022 Control. The duties and responsibilities of the District Coast Guard Officer in respect to the load lines certi-

fied on the safety certificates of, and marked on, passenger vessels engaged on foreign voyages by sea shall be the same as stated in § 43.021.

The duties and responsibilities of the District Coast Guard Officer in respect to passenger vessels engaged in coastwise voyages by sea or voyages on the Great Lakes are as defined by §§ 43.021 or 45.018, as applicable.

Section 46.023 is amended by changing the sixth undesignated paragraph to read as follows:

§ 46.023 Construction. * * *

In the case of passenger vessels engaged on foreign voyages by sea, coastwise voyages by sea, or Great Lakes voyages, operating not over 20 nautical miles offshore, the Commandant, U. S. Coast Guard, may make exemptions from the requirements of the regulations in this part if he considers that the route and the conditions of the voyage are such as to render the application of any of the requirements of the regulations in this part unreasonable or unnecessary.

Section 46.024 is amended by changing the second undesignated paragraph to read as follows:

§ 46.024 Plans and inspection of new and converted vessels. *- * *

These plans should be furnished as early as practicable. If approved, one copy is to be transmitted to the Supervising Merchant Marine Inspector of the district in which the vessel is to be constructed or converted, one copy shall be furnished the owners, and one copy will be retained by the Commandant, U. S. Coast Guard, as a record.

Section 46.8 is amended to read as follows:

§ 46.8 Fire-resisting bulkheads. Fire-resisting bulkheads shall be fitted as provided by the rules and regulations of this chapter as applicable to the vessel and service.

PART 47—TEMPORARY VARIANCE FOR COAST-WISE VOYAGES BY SEA AND GREAT LAKES VOYAGES

Part 47 is amended by changing the names "Director of the Bureau of Marine Inspection and Navigation," "Bureau of Marine Inspection and Navigation," wherever they appear therein to "Commandant, U. S. Coast Guard."

Section 47.1 is amended to read as follows:

§ 47.1 Establishment of temporary coastwise and. Great Lakes regulations for certain vessels. Load lines for eligible vessels are established by the regulations in this part as authorized by the Coastwise Load Line Act of 1935, as amended June 20, 1936, and July 3, 1941 (49 Stat. 888, 1543, 55 Stat. 578; 46 U.S.C. and Supp. 88–88i), Executive Order 9083 (7 F.R. 1609), and order of the Acting Secretary of the Navy dated October 1, 1942 (7 F.R. 7979), to be effective for the duration of the present war and six months thereafter, to the extent that a vessel may have a load line which gives lesser freeboard and less buoyancy than

the load line established by the International Load Line Treaty of 1930 when the load line will not be above the actual line of safety.

Section 47.8 is amended to read as follows:

§ 47.8 Load line certificates. Load line certificates issued under this part for coastwise voyages by sea shall be on the form described in § 44.8, amended as necessary, and shall be distinctly marked: "Valid only for voyages by sea from port to port in the continental United States"; and for Great Lakes' voyages on the form shown in § 45.80. No certificates issued under this part shall remain in force longer than for the duration of the war and six months thereafter, and all such certificates shall be subject to cancellation at any time before expiration by the Commandant, U. S. Coast Guard.

PART 48—FOREIGN VOYAGES DURING THE NATIONAL EMERGENCY

Part 48 is amended by changing the names "Secretary of Commerce," "Department of Commerce," "Bureau of Marine Inspection and Navigation," and "Bureau of Marine Inspection and Navigation of the Department of Commerce," wherever they appear to "Commandant, U. S. Coast Guard."

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 62—LICENSED OFFICERS AND CERTIFI-CATED MEN

Section 62.25 is amended by changing the sixth undesignated paragraph to read as follows:

§ 62.25 Lookouts, cabin watchmen, and fire patrolmen.

On all passenger vessels having berth or stateroom accommodations for passengers there shall be maintained while passengers are on board an efficient fire patrol so as to cover completely all parts of the vessel accessible to passengers or crew, at 20-minute intervals between the hours of 10:00 p. m. and 6:00 a. m., except machinery spaces, occupied passenger or crew sleeping accommodations, and cargo compartments which are inaccessible to passengers or crew while the vessel is being navigated.

Suchapter H—Great Lakes: General Rules and Regulations

PART 78—LICENSED OFFICERS AND CERTIF~ ICATED MEN

Section 78.22 is amended by changing the sixth undesignated paragraph to read as follows:

§ 78.22 Cabin watchmen and fire patrolmen.

On all passenger vessels having berth or stateroom accommodations for passengers there shall be maintained while passengers are on board an efficient fire patrol so as to completely cover all parts of the vessel accessible to passengers or crew, at 20-minute intervals between the hours of 10:00 p. m. and 6:00 a. m., except machinery spaces, occupied passenger or crew sleeping accommodations, and cargo compartments which are inacces-

sible to passengers or crew while the vessel is being navigated.

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 96—LICENSED OFFICERS AND CERTIF-ICATED MEN

Section 96.23 is amended by changing the sixth undesignated paragraph to read as follows:

§ 96.23 Cabin watchmen and fire patrolmen. * * * (See § 78.22 of this chapter, which is identical with this section.)

Subchapter J-Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

The first sentence of § 113.22 is amended to read as follows:

§ 113.22 Equipment for lifeboats on vessels on all rivers except western rivers whose waters flow into the Gulf of Mexico and the Yukon River. All lifeboats except those provided for in § 113.22a of this part shall be equipped as follows:

Section 113.44 (a) is amended to read as follows:

§ 113.44 Life preservers—(a) Number required. All vessels shall be provided with one approved life preserver for each person carried.

PART 115-LICENSED OFFICERS

Section 115.23 is amended by changing the sixth undesignated paragraph to read as follows:

§ 115.23 Cabin watchmen and fire patrolmen. * * * (See § 78.22 of this chapter, which is identical with this section.)

Subchapter O-Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153-BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING ELIER-GENCY

Section 153.10 (b) is amended to read as follows:

§ 153.10 Construction of life preservers. * *

(b) New life preservers, covering. New life preservers for use on ocean and coastwise vessels are to be covered with slate colored drill which meets the requirements of Navy Department Specification 27–D–1-b; or, one side shall be covered with such slate colored drill and the other side with chrome yellow or orange colored drill. The covering is to be rendered fire-resistive by treatment with approved fire-resistive substance.

Section 153.17 is amended to read as follows:

§ 153.17 Lifesaving nets. On all mechanically-propelled ocean and coastwise vessels of over 1,000 gross tons, there shall be provided for each set of davits a lifesaving net or nets aggregating at least 10 feet in width to reach from the rail to the light load line. Steel nets shall be made in sections having a width of 5 feet. On and after January 31,

1943, all new installations or replacements of lifesaying nets shall be of an approved type.

MISCELLANIOUS ITEMS OF EQUIPMENT APPROVED

The following items of equipment for the better security of life at sea are approved:

Lifeboats

12' x 4.5' x 1.92' metallic lifeboat (6-person capacity) (Dwg. No. G-211R, dated 30 September 1942), manufactured by C. C. Galbraith & Son, Inc., New York, N. Y. 22'0" x 7'6" x 3'2" metallic motor-

22'0" x 7'6" x 3'2" metallic motorpropelled lifeboat (313 Cu. Ft.) (Dwg. No. 2389, dated 12 September 1942), manufactured by Welin Davit & Boat Corporation. Perth Ambay N. J.

poration, Perth Amboy N. J. 22'0" x 7'6" x 3'2" metallic lifeboat (313 Cu. Ft.) (Dwg. No. N. L. 31-P. W. sheets 1A and 2A, dated 21 September 1942), manufactured by Neptune Beat & Davit Co., Inc., New Orleans, La.

Darit

Welln straight boom sheath serew davit, Type B-N (General Arrangement Dwg. No. 2411, dated 16 October 1942) (Maximum working load of 6,500 pounds per arm), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

Skales or Fenders for Lifeboats

Skates and skid fenders for lifeboats (Dwg. No. 2409, dated 30 October 1942, Rev. 14 December 1942), manufactured by Welin Davit & Boat Corp., Perth Amboy, N. J.

Disengaging Apparatus

Imperial Mills type releasing hook, sizes F and G (Assembly Dwg. No. CD-1111, dated 15 November 1942; and Detail Dwg. No. CD-1110, dated 7 November 1942) (Maximum working load of 6,000 pounds per hook for each size), manufactured by Imperial Lifeboat & Davit Company, Inc., Athens, N. Y.

Lane Mills Releasing Gear, Type 'C', (Assembly Dwg. S-122, dated 3 November 1942) (Maximum working load of 6,500 pounds per hook), manufactured by Lane Lifeboat & Davit Corporation, Flushing, N. Y.

Galbraith Rottmer Releasing Gear (Dwg. 1212 R, dated 18 August 1942) (Maximum working load of 6,000 pounds per hook), manufactured by C. C. Galbraith & Son, Inc., New York, N. Y.

Life Rafts

20-person catamaran type life raft (Dwg. dated 3 December 1942), constructed by Paul, Rice & Levy, Inc., New Orleans, La.

20-person catamaran type life raft (Dwg. No. N. R. 20-P. C., dated 5 December 1942), constructed by Neptune Boat & Davit Company, Inc., New Orleans, La.

20-person catamaran type life raft (Dwg. dated 15 January 1942, 3 sheets), constructed by Jones-Gillis Contracting Company, McComb, Miss.

Life Floats

60-person rectangular hollow balsa wood life float (Dwg. No. BF-10A dated 11 October 1942), manufactured by Winner Manufacturing Company, Trenton, N. J.

10-person rectangular hollow balsa wood life float (Dwgs. dated 11 July 1942 and 19 September 1942), manufactured by General Store Equipment Corporation, Astoria, Long Island, N. Y.

Flashlight for Lifeboats

No. 1725 three-cell, plastic, pre-focused flachlight, manufactured by Bright Star Eattery Co., Clifton, N. J.

Lifeboat Bilge Pump

Amity No. 2 bilge pump for lifeboats (Dwgs. 1543 and 1544, dated ^a December 1942), manufactured by Amity Foundry and Machine Co., Perth Amboy, N. J.

Luminous Cloth or Tape for Marling Interior Accommodations, Etc.

Velva-Glo D-7 Blue Green Plastic Luminous Tape, manufactured by Velvatone Poster Co, San Francisco, Calif.

Lifezaring Suit

Victory lifesaving suit, Type "B", manufactured by The Watertight Slide Fastener Corp., New York, N. Y. (For uze in conjunction with approved 24-ounce happy life preservers.)

Thread for Use in Life Preservers

No. 10 4 natural, glace finish cotton thread, manufactured by Colonial Thread Co., Boston, Mass.

No. 10 3 natural, glace finish cotton thread, manufactured by Colonial Thread Co., Eoston, Mass.

Low-Pressure Heating Boiler

Size No. 1 H. M., special heating boiler (Dwg. No. 52-5295, dated 2 December 1942) (Maximum working pressure of 20 pounds per square inch), manufactured by The International Boiler Works, East Stroudsburg, Pa.

Water Light

Automatic floating electric water light, Type ML4 (Dwg. No. ML43, Rev. 12 Dacember 1942), manufactured by Winner Manufacturing Co., Trenton, N. J.

> R. R. Waesche, Commandant.

JARUANY 11, 1943.

[P. R. Die. 43-539; Filed, January 12, 1945; 10:32 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nes. A-1837, A-1868]

DISTRICT BOARD 1

MEMORANDUM OPINION, ETC.

In the matters of the petitions of District Board No. 1 for the establishment of price classifications and minimum prices, for changes in seam designations and price classifications, for the establishment of an additional shipping point, and for corrections and changes in rail-

road loading points and designations, respectively, for the coals of certain mines located in District 1; Docket Nos. A-1807 and A-1808.

In the matters of the petitions of District Board No. 1 for changes in seam designations, price classifications and minimum prices for the coals of the Thompson No. 1 Mine (Mine Index No. 2151) of George Thompson and the Keystone Mine (Mine Index No. 1158) of H. P. Burkholder, located in District 1; Docket Nos. A-1807 and A-1808, Part II.

Memorandum opinion and order severing Docket Nos. A–1807 and A–1808, Part II from Docket Nos. A–1807 and A–1808, and notice of and order for hearing in Docket Nos. A–1807 and A–1808, Part II.

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, were filed with the Division by the above-named party, requesting, in part, that relief, both temporary and permanent, be granted with respect to the seam designations and price classifications for the coals produced at the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson and for the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, respectively.

With respect to the relief requested for the Thompson No. 1 Mine, Mine Index No. 2151, it is alleged in the original petition filed by the above-named party in Docket No. A-1808, that this mine is presently designated as operating in the "Pittsburgh" seam, is classified as "G" in Size Group 3 for all shipments except truck, and is priced at \$2.35 per ton f. o. b. the mine in this size group for truck shipments. It is further alleged in the petition that investigation by District Board No. 1 discloses that this mine is opened in the same tract of coal as the Thompson No. 2 Mine, Mine Index No. 3432, which is properly designated as operating in the "E" seam. It is also alleged in this petition that the "Pittsburgh" seam does not overlie the "E" seam at these mines.

On the basis of these facts, the District Board in its original petition filed in Docket No. A-1808, proposes that the seam designation for the Thompson Mine, Mine Index No. 2151, be changed from "Pittsburgh" to "E"; that the classification of the coals produced at this mine be changed from "G" to "H" in Size Group 3 for all shipments except truck, and that the minimum f. o. b. mine price for said coals be changed from \$2.35 to \$2.30 per net ton, for truck shipments.

With respect to the relief requested for the Keystone Mine, Mine Index No. 1158, it is alleged in the original petition filed by the above-named party in Docket No. A-1808, that this mine is presently designated as operating in the "Pittsburgh and Redstone" seams, is classified as "G" in Size Group 3 for all shipments except truck, and is priced at \$2.35 per net ton f. o. b. the mine, in this size group for truck shipments. It is further alleged in this petition that investigation by District Board No. 1 discloses that this mine is presently operating in the "Redstone" seam only, due to the fact that the "Pittsburgh" seam is

completely flooded and probably will never be worked again.

On the basis of these facts, the District Board, in its original petition filed in Docket No. A-1808, proposes that the seam designation for the Keystone Mine, Mine Index 1158, be changed from "Redstone and Pittsburgh" to "Pittsburgh"; that the classification of the coals produced at this mine be changed from "G" to "H" in Size Group 3 for all shipments except truck, and that the minimum f. o. b. mine price for said coals be changed from \$2.35 to \$2.30 per net ton for truck shipments.

In view of the fact that the proposal of the District Board as set forth above involves changes in price classifications and minimum prices heretofore established for the coals produced at the said Thompson and Keystone Mines, the Director is of the opinion that that portion of the consolidated petitions which relate to the relief requested by District Board No. 1 for the said Thompson No. 1 Mine, Mine Index No. 2151, and the said Keystone Mine, Mine Index No. 1158, should be severed therefrom and designated as Docket Nos. A-1807 and A-1808, Part II, and that said severed portion should be scheduled for hearing.

However, with respect to that portion of the consolidated petitions which is designated as Docket Nos. A-1807 and A-1808, in which the District Board proposed the establishment of price classifications and minimum prices and other relief for other mines, the Director being of the opinion that such relief should be granted with respect to such other mines, an order granting temporary relief and conditionally providing for final relief has been issued in said Docket Nos. A-1807 and A-1808.

It is, therefore, ordered, That those portions of the original petitions which relate to the coals of the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson, and the Keystone Mine, Mine Index No. 1153, operated by H. P. Burkholder, respectively, be, and the same hereby are, severed from Docket Nos. A-1807 and A-1803, and that such severed portions be, and the same hereby are, designated as Docket Nos. A-1807 and A-1808, Part II.

It is further ordered, That a hearing in Dockets Nos. A-1807 and A-1808, Part II, under the applicable provisions of said Act and rules of the Division be held on January 28, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Division in Washington, D. C. On such day the chief of the records section will advise as to the room where such hearing will be held.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, continue said hearing from time to time, and submit to the undersigned proposed findings of fact, conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 23, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the

basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 1 for a change in the seam designation for the Thompson No. 1 Mine, Mine Index No. 2151, operated by George Thompson, from the "Pittsburgh seam" to the "E" seam, and for a change in the seam designation for the Keystone Mine, Mine Index No. 1158, operated by H. P. Burkholder, by deleting therefrom the "Pittsburgh" Seam, so that hereafter said mine will be designated under the "Redstone" Seam, and for the establishment of price classifications and minimum prices for such coals in the Schedules of Effective Minimum Prices in District 1 for All Shipments Except Truck and For Truck Shipments, which reflect such changes in seam designation.

Dated: January 8, 1943.

[SEAL] DAN H. WHEELER, Director.

[F. R. Doc. 43-552; Filed, January 11, 1943; 12:22 p. m.]

[Docket No. B-245]
DOWLING COAL CO.

ORDER REINSTATING REGISTRATION

In the matter of Lawrence H. Dowling, doing business as Dowling Coal Company, registered distributor, Registration No. 2472.

An order having been issued in the above-entitled matter on October 19, 1942, suspending the registration of Lawrence H. Dowling, doing business as Dowling Coal Company, Registered Distributor, Registration No. 2472, for a period of sixty (60) days from the date of the service of said order upon said distributor; and

Said order having been duly served on the above-named distributor on October 28, 1942, and said order of suspension having expired on December 27, 1942; and

An affidavit dated December 21, 1942, having been filed by said distributor with the Bituminous Coal Division on December 28, 1942, pursuant to the provisions

of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said order issued herein on October 19, 1942; and

It appearing from said affidavit that Lawrence H. Dowling, doing business as Dowling Coal Company, has complied with the provisions of said § 304.15 of the Rules and Regulations of Distributors and of said order issued on October 19, 1942:

Now, therefore, it is ordered, That the registration of Lawrence H. Dowling, doing business as Dowling Coal Company, as a registered distributor, Registration No. 2472, be, and the same hereby is reinstated effective as of 12:01 a. m. on January 3, 1943.

Dated: January 8, 1943.

[SEAL]

Dan H. Wheeler, Director.

[F. R. Doc. 43-553; Filed, January 11, 1943; 12:23 p. m.]

[Docket No. A-1737]
DISTRICT BOARDS 7 AND 8
MEMORANDUM OPINION, ETC.

In the matter of the petition of District Boards Nos. 7 and 8 for an increase in minimum prices, pursuant to section 4 II (a) and (b) of the Bituminous Coal Act of 1937.

Memorandum opinion and order denying temporary relief and notice of and order for hearing.

On November 12, 1942, the Bituminous Coal Producers Boards for District Nos. 7 and 8 (hereinafter sometimes referred to as petitioners) filed a joint petition for an order increasing the minimum prices in such a manner as to increase the minimum price realization for coals produced in Minimum Price Area 1 by such amount as the Director may find to be the increase in the weighted average of the total costs per net ton of 2,000 pounds of the tonnage produced in Minimum Price Area 1 over and above the determination thereof made by the Director in General Docket No. 21, without, however, changing the coordination of such minimum prices heretofore established by the Director.

Petitioners also allege that they are informed and believe that the weighted average of the total costs of production in Minimum Price Area 1 have increased at least five cents per net ton of 2,000 pounds, exclusive of seasonal changes, over and above the determination of such costs in General Docket No. 21. Petitioners, therefore, request an immediate temporary order revising the minimum prices heretofore established for coals produced in Minimum Price Area 1 in such a manner as to increase the minimum price realization for Minimum Price Area 1 by at least five cents per net ton of 2,000 pounds, without, however, changing the coordination of such minimum prices heretofore established between districts.

A preliminary compilation prepared by the Economics Branch of the Bituminous Coal Division from verified cost reports of individual producers of Minimum Price Area 1 and attached hereto as Exhibit A indicates that reported costs are two cents or more per net ton in excess of the weighted average of the total costs for Minimum Price Area 1 heretofore determined.

In view of the allegations of the abovementioned petition the Director believed a preliminary conference would be helpful for the purpose of discussing matters related to the petition and a proceeding for redetermination of costs and revision of minimum prices. Such a conference was held on December 17, 1942, and was attended by representatives of the Division, District Boards 1-11 and 13, Consumers' Counsel, and American Coal Sales Association. At that time, it was stated by representatives of various district boards that they were opposed to an early hearing in a proceeding to redetermine costs and revise minimum prices. Similar opposition was voiced by representatives of District Boards 14-20, 22 and 23 at a conference held with representatives of the Division on January 6 and 7, 1943. Among objections urged by such district boards at the conferences were the objections that a hearing at this time was unnecessary, that several months would be required for certain district boards to obtain complete data and exhibits for proper presentation, and that cost factors should be considered in the next cost proceeding in addition to those which can now readily be shown. Nevertheless, in view of the pendency of the petition of District Boards Nos. 7 and 8 and their request for immediate temporary relief, it is appropriate to grant the request of the petitioners that a hearing be held for the purpose of affording them and others an opportunity to make a showing concerning cost changes in Minimum Price Area 1 and suitable revisions of minimum prices.

The Bituminous Coal Division, under section 4 II (b) of the Act, is empowered from time to time to review and revise the effective minimum prices in accordance with the standards set forth in subsections (a) and (b) of section 4 II upon satisfactory proof that there has been a change in any minimum price area in excess of two cents per net ton in the weighted average of the total costs.

The Director is of the opinion, however, that the Act does not empower him, prior to a redetermination of costs and at this state of the proceeding to grant temporary relief as requested by petitioners.

Now, therefore, it is ordered. That the temporary relief, requested by petitioners, be and the same hereby is denied.

It is further ordered, That a hearing in the above-entitled matter be held on February 24, 1943, at 10 o'clock a. m. at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That C. R. Larrabee or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths

and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, to prepare and submit to the Director proposed findings of fact, conclusions of law, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

It is further ordered, That the verified cost reports upon which the compilation in Exhibit A attached hereto is based be and the same hereby are made a part of the record of this proceeding, subject to appropriate objection at the hearing. Such cost reports will be available for inspection by the interested persons and parties (who have filed notices in accordance with the provisions hereof) as soon as practicable and prior to the commencement of the hearing, at Room 502, Walker Building, 734 Fifteenth Street NW., Washington, D. C.

It is further ordered, That on or before February 10, 1943, District Boards Nos. 7 and 8, the petitioners herein, shall file in this docket and serve copies thereof upon all district boards, Consumers' Counsel, and all parties who have filed notices herein, written statements concerning (a) the specific changes, in the weighted average costs of production for Minimum Price Area 1. which patitioners claim have occurred since the determinations thereof in General Docket No. 21 and upon which petitioners propose that revisions of minimum prices be based, (b) the specific proposals of the changes in minimum prices which petitioners seek to have established in this proceeding for Minimum Price Area 1 and any other minimum price area, (c) the cost, distribution, and realization data upon which such claimed changes in costs and proposed minimum prices are based, and the extent to which petitioners intend to rely upon data made available by the Bituminous Coal Division.

Notice of such hearing is hereby given to the Bituminous Coal Producers Board for each district, to all code members, to the Consumers' Counsel, and to all other persons who may have an interest in this matter. Any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect, setting forth clearly the nature of the interest of such person in this proceeding, with the Bituminous Coal Division on or before January 29, 1943. Thereafter and within 10 days after service of the aforesaid statement by petitioners, each interested person or party shall file a statement or a petition of intervention setting forth in detail the position of such person or party with regard to its specific requests or proposals, if any, and the specific requests or proposals of petitioners. Copies of such statement or petition of intervention shall be served upon all other interested persons or parties. Each interested person or party shall be limited in the presentation of evidence, argument and briefs to those matters specifically alleged in the statement or petition of intervention filed. No person who fails to file an appropriate and timely notice and statement or petition of intervention as herein required shall be

admitted as an interested person or party, or heard in this proceeding except upon good cause shown and after the making of an appropriate order or ruling by the Examiner.

At such hearing, interested persons or parties will be afforded an opportunity to be heard and to present evidence relating to the correctness or incorrectness of Exhibit A attached hereto or otherwise relating to the subject matter of this

proceeding.

The matter concerned herewith is (a) the determination of the extent, if any, to which there has been a change in excess of two cents per net ton in the weighted average of the total costs heretofore determined by the Division in General Docket No. 21 for Minimum Price Area 1, and (b) the making of such revision of the effective minimum prices as may be required in Minimum Price Area 1 or any other minimum price area by reason of any such changes in costs for the coals produced in Minimum Price Area 1, and in order to assure that the effective minimum prices established herein (1) will return a realization which approximates the weighted average of the total costs for Minimum Price Area 1, and (2) also comply in other respects with the standards of section 4 II (a) and (b) of the Act.

Dated: January 9, 1943.

[SEAL]

DAN H. WHEELER, Director.

EXHIBIT A

WEIGHTED AVERAGE OF PRODUCING, AD-MINISTRATIVE, AND SELLING COSTS

Determined weighted average costs in General Docket No. 21, and preliminary compilations from reports made by producers for the twelve months July 1941 through June 1942 and the twelve months October 1941 through September 1942

	Weighted average cost per ton		
Price area and district	Deter- mined in general Docket No. 21	12 months July 1941 through June 1942	1941 through
Minimum Price Area 1			_
District No. 1	\$2, 4242 2, 2508 1, 9143 1, 9377 4, 2215 1, 8907 2, 4055 2, 2521	\$2,4207 2,3091 1,9731 1,9555 4,2418 2,0137 2,5265 2,3001	\$2, 4572 2, 3474 1, 9987 1, 9902 4, 1550 2, 0293 2, 5768 2, 3353
Total Price Area 1	2, 2503	2, 2972	2 3339

¹ Mines over 50 tons daily capacity only. Mines of less than 50 tons daily capacity without rail or river con-nections report annually on Form T-2; their costs cannot be broken down by periods within the calendar year.

ECONOMICS BRANCH.
JANUARY 9, 1943.

[F. R. Doc. 43-551; Filed, January 11, 1943; 12:23 p.m.]

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

[Rationing Order C, Announcement 2]

RATIONING OF FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Pursuant to § 2.207 of Rationing Order C1 the Special War Board Assistant here-

by announces that no quotas will be presently established for the following Schedule I equipment:

Irrigation pumps.

Turbine pumps, 0 to 1,200 GPM.

Turbine pumps, 1,200 GPM and up, belt driven.

Centrifugal pumps. Farm milk coolers. Immersion type.

Surface or tubular type.

County farm rationing committees may, therefore, immediately commence to ration the Schedule I equipment listed above and to issue purchase certificates therefor, in accordance with the provisions of Rationing Order C. Certifications required by § 2.218 (b) of Rationing Order C must be filed for such Schedule I equipment.

This Announcement No. 2 to Rationing Order C shall become effective January 13, 1943.

Done at Washington, D. C., this 11th day of January 1943.

FRED S. WALLACE, [SEAL] Special War Board Assistant.

[F. R. Doc. 43-587; Filed, January 12, 1943; 9:28 a. m.]

Food Distribution Administration.2 [Docket No. AO 117-A 3]

WASHINGTON, D. C., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Wash-

ington Marketing Area. Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Auditorium, South Building, United States Department of Agriculture, Washington, D. C., beginning at 10 a. m., E. W. T., January 18, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Washington marketing area. These amendments have not received the aproval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

Proposed by Maryland and Virginia Milk Producers' Association, Inc.

1. In § 945.1 (a) (5), delete the words "or cream" in line 5 and add the words

"from which no milk was shipped to the marketing area as milk during the preceding year" at the end of the definition of a "producer."

2. Delete § 945.4 (b) (1) and (2) and substitute therefor the following:

(1) Class I milk. All milk disposed of in the form of fluid milk, skim milk, buttermilk, flavored or manufactured milk drinks, the butterfat in cottage cheese, and plant shrinkage.

(2) Class II milk. All milk the cream therefrom which is disposed in the form

of cream.

3. Amend § 945.5 (c) as follows:

(a) Delete the words "and cream" in the title paragraph (c).

(b) In subparagraph (1), delete the words "or cream" in line 1 and the words "and cream" in line 7; at the end of line 11 change the period to a semi-colon and add the words "and that the allocation shall not violate the provision relating to 'Emergency Supplies' in subparagraph (2) below."

(c) Delete subparagraph (3) and substitute therefor the following:

- (3) Milk, skim milk, and cream designated as "emergency supplies" shall be classified as Class II, except any of these "emergency supplies" in excess of the total amount of Class II used by the receiving handler shall be allocated to Class I; Provided that "emergency supplies" shall be deemed to be any milk or cream received by a handler from plants outside the marketing area, except from plants from which milk was delivered to the marketing area in May 1942.
- 4. Delete § 945.4 (d) (1) and (2) and substitute therefor the following:
- (1) Class I milk. Combine into one total the pounds of products disposed of as Class I, plus the milk equivalent of butterfat in cottage cheese and in plant shrinkage.
- (2) Class II milk. Deduct the total pounds of Class I milk determined in (1) above from the gross receipts of milk and milk equivalent of cream from all
- 5. Amend § 945.5 (a) as follows:
- (a) In subparagraph (1), substitute "\$4.50" in line 1 for "\$3.57"; in line 4 and line 8 substitute "\$4.04" for "\$3.11."
 (b) In subparagraph (2) (1), substitute "\$4.04" for "\$3.11."
- tute "\$1.00" in line 7 for "28 cents"; in line 7 and line 8 delete the words "and subtract 231/2 cents."
- (c) Add a new subparagraph as follows:
- (3) Sales outside the marketing area. For handlers shipping emergency supplies of milk or cream into the marketing area, the price for milk or cream disposed by these handlers outside the marketing area shall be such prices as were paid the majority of farmers in the market where such milk was disposed of, in lieu of the class prices set forth in (a) of this section.
- 6. Delete § 945.7 (a) and substitute therefor the following:
- (a) Computation of value for each handler. For each delivery period the market administrator shall compute the value of milk disposed of by each handler receiving milk from other producers as

¹⁷ F.R. 9647.

² Formerly Agricultural Marketing Adminis-

follows: Multiply the hundredweight of milk in each class by the price applicable to § 945.5; add the resulting values together; deduct the product obtained by multiplying the Class II price by the hundredweight of milk equivalent (at the average test of milk received from producers) in the butterfat in cream received from plants at which no milk is received from producers; then deduct the products obtained by multiplying the applicable class price by the milk designated as "emergency supplies", and divide the remaining sum by the hundredweight of milk received from producers, exclusive of milk designated as "emergency supplies."

- 7. Amend § 945.8 (a) as follows:
- (a) Delete subparagraph (1) and substitute therefor the following:
- (1) Semi-monthly payments. On or before the 20th day of each delivery period, each handler shall make payment to producers for the approximate value of milk received during the first 15 days of each delivery period and on or before the 5th day after the end of each delivery period, each handler shall make payment to producers for the approximate value of milk received from the 16th to the end of the delivery period.
- (b) In subparagraph (2), substitute "15th" for "18th."
- 8. In § 945.8 (d), substitute a semicolon for the period after the word "plant" and add thereto the following:

Provided, That in the case of handlers delivering milk qualifying as "emergency supplies" pursuant to § 945.4, paragraph (c), then in lieu of the \$.18 location adjustment specified above, the handler may deduct an amount per hundred-weight equivalent to the cost of transporting such milk to the marketing area but in no event shall this amount exceed the railroad rates established by the Interstate Commerce Commission.

Proposed by Embassy-Fairfax Dairy, Inc.

- 1. Provide for a market-wide pool instead of the present individual handler pool.
- 2. Provide for a receiving station differential of 18 cents per hundred-weight and a transportation differential of 50 cents per hundredweight for milk received at plants located in Queen Anne's County, Maryland.
- Provide that plant loss of 2 percent be placed in Class II instead of Class I.

Proposed by Chestnut Farms-Chevy Chase Dairy Company

 Provide for the classification of plant loss not to exceed 2 percent by volume of receipts in "Class II milk."

Proposed by Martin's Dairy

- 1. In § 945.5, add a paragraph as fol-
- (b) Sales outside the marketing area. In lieu of prices set forth in this section, the prices to be paid by handlers for Class I milk and Class II milk disposed of from those wagons or trucks which do not travel within the marketing area at any time while containing any milk cream shall be such prices as were paid

to farmers in the market where such milk was disposed of for milk of equivalent use, as ascertained by the market administrator.

Proposed by Dairy and Poultry Branch, Food Distribution Administration

- 1. Delete § 945.3 (b) (2) and substitute therefor the following:
- (2) (i) Those facilities necessary for the checking of the weighing and sampling of milk and adequate records for determining the utilization of milk or cream by the handler.
- (ii) In establishing the classification of any milk or cream received at a plant from producers, the burden rests upon the handler who received the milk from producers to show that it should not be classified as Class I milk.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

[SEAL]

Thomas J. Flavin, Assistant to the Sceretary of Agriculture.

JANUIRY 12, 1943.

[F. R. Doc. 43-592; Filed, January 12, 1943; 11:35 a. m.]

FEDERAL TRADE COMMISSION.

[Decket No. 4866]

. VALMOR PRODUCTS CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 9th day of January, A. D. 1943.

In the matter of M. G. Neuman, an individual, doing business as Valmor Products Company, Famous Products Company, and Madam Jones Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41)

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, January 20, 1943, at ten o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immedi-

ately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

Ons B. Johnson, Secretary.

OFFICE OF PRICE ADMINISTRATION.

[Order 5 Under MPR 244]

TRIANGLE FOUNDRY Co.

adjustration of maximum prices

Order No. 5 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings Dacket No. GF3-2236.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, It is hereby ordered.

Adjustment of maximum prices for gray iron castings sold by Triangle Foundry Co. (a) Triangle Foundry Company, Minooka, Illinois, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds and grades of gray iron castings set forth in paragraph (b) to the persons specified in paragraph (b), at prices not in excess of those stated therein. The persons specified in paragraph (b) may buy and receive, and agree, offer, solicit and attempt to buy and receive, such kinds and grades of gray iron castings at such prices from Triangle Foundry Co.

(b) Maximum prices.

They had constitute	ans process	
Purchaser	Pettum No. or discription	Moni- mum price (Sp. 15.)
Mobile Printing Price & Mr.	1. The patterns included in class 12G3 by a womens	3.C33
Co. Chimgo. Ill.	2. The partier maintailed in class 114 by agreement	. 0043
	of the partie. 3. The patterns included in class No. 22 by agreement of the partie.	.0075
	4. The posturae included in class No. 13 by some-	.025
Parter Greeze Co., Aurero, Ill.	ment of the parties! 1. The patterns which were are . I to be sell at the fat pass of \$6 M parts.	.103
	2. The potterns which were acreed to be coldet the	.0253
J. H. Charrin	C.t.priceofs.0.23p.mlo. 2.T-UP 1.T-UP 1.T-U	

¹Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2056)

Purchaser	Pattern No. or description	Maxi- mum price (Sper lb.)
J. H. Channon Corp., Chicago, Ili.—Contd.	D-14. D-16. GP-37. GP-37. GP-39. GP-39. GP-10. GP-60. GP-60. JEP-1. JEP-2. JEP-3. JEP-3. JEP-4. KL-33. KL-34. KL-35. KL-36. M-2. 004. 005. 008. 0056. TC-10. TCS-4. TP-1. TP-11. TP-12. TP-13. TP-18. TP-18. TP-18. TP-18. TP-18. TP-18. TP-18. TP-190. TP-190. TP-335. TP-335. TP-335. TP-335. TP-335. TP-335. TP-337. P-4. PN. U-75. UN. X042.	.087 .084 .084 .084 .084 .085 .119 .097 .111 .091 .097 .087 .087 .081 .076 .105 .105 .076 .116 .126 .126 .126 .126 .126 .126 .12
Elgin Machine Ayorks, Elgin, Ill.	TP-5 NNN	.072 .091 .25 .31 .31 .31 .19 .31

(c) The permission granted to Triangle Foundry Co. is subject to the following condition: Triangle Foundry Co. shall file with the Iron and Steel Branch, Office of Price Administration, Washington, D. C. (1) a profit and loss statement and balance sheet, each submitted under oath, covering its over-all operations for the calendar year of 1942, such statement and balance sheet to be filed not later than thirty days after the close of said calendar year; (2) a sworn statement of its profits and losses on its overall operations for each quarter year beginning with the first calendar quarter of 1943, such statements to be filed not later than thirty days after the close of the preceding quarter; (3) a breakdown of the profit and loss statements filed pursuant to (1) and (2) of this paragraph showing (i) net sales (ii) cost of commodities or services sold, stating separately total material costs, total labor costs and total other manufacturing costs and (iii) general and administrative expenses, segregating compensation to officers and directors: Provided, That said Company need not file any of the foregoing financial data if it has filed such data, or in the future does file such data on or before the time limits specified in this paragraph (c), on Form A-Annual Financial Report or Form B-Interim Financial Report, issued by the Office of Price Administration.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1421.164 of Maximum Price Regulation 244 shall apply to the terms used herein.

(g) This Order No. 5 shall become effective January 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 11th day of January 1943.

LEON HENDERSON,

Administrator.

[F. R. Doc. 43-543; Filed, January 11, 1943; 11:47 a. m.]

[Order 136 Under MPR 120]

Domenick Marrara

ORDER GRANTING ADJUSTMENT

Order No. 136 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120–31–P.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, It is ordered:

(a) Coal in Size Groups 6 and 7 produced at the Marrara Mine (Mine Index No. 204), District No. 3, of Domenick Marrara may be sold and purchased for shipment by rail at a price not to exceed \$2.45 per net ton, f. o. b. the mine.

(b) This Order No. 136 may be revoked or amended by the Price Admin-

istrator at any time.

(c) Within thirty (30) days from the effective date of this order, Domenick Marrara shall notify all persons purchasing his coal of the adjustments granted by this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted by this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Maximum Price Regulation No. 122.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used

(e) This Order No. 136 shall become effective January 11, 1943.

Issued this 11th day of January 1943.

LEON HENDERSON,

Administrator.

[F. R. Doc. 43-570; Filed, January 11, 1943; 4:32 p. m.]

[Order 118 Under MPR 188]

MERRIFIELD MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 118 under § 1499.158 of Maximum Price Regulation No. 188 —Manu-

facturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of a maximum price for sales by Merrifield Manufacturing Company of a new shopping cart.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emer-

gency Price Control Act of 1942, as amended, and Executive Order No. 9250,

It is ordered:
(a) Merrifield Manufacturing Company, 2028 West Washington Boulevard,

Los Angeles, California, may sell and deliver its new waterproof "Victory Shopper" to retailers at a price, f. o. b. Los Angeles, California, no higher than \$1.15.

(b) This Order No. 118 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 118 shall become effective on the 12th day of January 1943. Issued this 11th day of January 1943.

LEON HENDERSON,
Administrator.

[F. R. Doc. 43-569; Filed, January 11, 1943; 4:32 p. m.]

[Order 10 Under MPR 152] Libby, McNeill & Libby

APPROVAL OF MAXIMUM PRICES

Order No. 10 under Maximum Price Regulation No. 152—Canned Vegetables. On October 27, 1942 Libby, McNeill &

On October 27, 1942 Libby, McNelli & Libby filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in 12/28ounce glass containers of Libby Brand Green Tomato Pickles.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Frice Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, It is hereby ordered, That:

(a) Libby, McNeill & Libby may sell, offer to sell, or deliver and any person may buy, offer to buy or receive 12/28-ounce Libby Brand Green Tomato Pickles at a price no higher than the maximum price of \$2.26 per dozen, f. o. b. factory.

(b) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Libby, McNeill & Libby, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Control Act of 1942, as amended, shall apply to terms used herein.

¹⁷ F.R. 5672.

(e) This Order No. 10 shall become effective on January 13, 1943. Issued this 12th day of January 1943.

> LEON HENDERSON. Administrator.

[F. R. Doc. 43-578; Filed, January 12, 1943; 10:11 a. m.]

> [Order 11 Under MPR 152] FAIRMONT CANNING COMPANY APPROVAL OF MAXIMUM PRICES

Order No. 11 under Maximum Price

Regulation No. 152—Canned Vegetables. On November 9, 1942 the Fairmont Canning Company filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by Applicant with respect to the packing in No. 303 size cans and 8 ounce size cans of Standard Fresh White Lima Beans of the 1942 pack.

For the reasons set forth in the opinion which accompanied this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is hereby ordered, That:

(a) The Fairmont Canning Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive Standard Fresh White Lima Beans at a price no higher than the maximum price of \$.71 per dozen, f. o. b. factory, for the No. 303 size cans and at a price no higher than \$.46 per dozen for the 8 ounce size cans.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Fairmont Canning Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152, and section 302 of the Emergency

Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 11 shall become effective on January 13, 1943. Issued this 12th day of January 1943.

> LEON HENDERSON, Administrator.

[F. R. Doc. 43-579; Filed, January 12, 1943; 10:12 a. m.]

> [Order 12 Under MPR 152] W. H. ROBERTS AND COMPANY APPROVAL OF MAXIMUM PRICE

Order No. 12 under Maximum Price Regulation No. 152—Canned Vegetables.

W. H. Roberts and Company, Balti-more, Md., has filed an application for specific authorization to charge a maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by the Applicant with respect to the packing in No. 10 cans of Top Standard Cut Ungraded Flat Green Beans.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is hereby ordered, That:
(a) W. H. Roberts and Company may

sell, offer to sell or deliver and any person may buy, offer to buy or receive No. 10 cans of Top Standard Cut Ungraded Flat Green Beans, at a price no higher than the maximum price of \$5.00 per

dozen, f. o. b. factory.
(b) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, W. H. Roberts and Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 12 shall become effective on January 13, 1943.

Issued this 12th day of January 1943.

LEON HENDERSON, Administrator.

[F. R. Doc. 43-529; Filed, January 12, 1943; 10:13 a. m.]

[Order 13 Under MPR 152]

FRUIT BELT PRESERVING COMPANY

APPROVAL OF MANIATUM PRICES

Order No. 13 under Maximum Price Regulation No. 152-Canned Vegetables.

The Fruit Belt Preserving Company, East Williamson, New York, has filed an application for specific authorization to charge maximum prices pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given the information submitted by the Applicant with respect to the packing of the following commodities:

Container size Commodity No. 10 cans___ Extra Standard 6 Sieve Cut Green Beans.

No. 10 cans____ Extra Standard 6 Sieve Cut Wax Brans.

No. 10 cans___ Standard 6 Sieve Cut Green Beans. No. 10 cans Extra Standard Short Cut

Green Beans.

For the reasons set forth in the opinion which accompanies this Order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is hereby ordered, That:

(a) The Fruit Belt Preserving Company may sell, offer to sell or deliver and any person may buy, offer to buy or receive the following commodities at the maximum prices indicated:

Centainer cizo	Comm: lity •	Authorized maximum pricaper dozenf. 6. b. factory
No.19cans.	Extra Standard 6 Sieve Cut Green Beann.	\$7,47
No. 10 care.	Extra Standard 6 Stave Cut Wax	6.61
No.10cars. No.10cars.	Stan lard 68 leve Cut Green Brons. Extra Standard Short Cut Green Brons.	6.22 6.13

(b) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Fruit Belt Preserving Company, shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(e) This Order No. 13 shall become effective on January 13, 1943.

Issued this 12th, day of January 1943.

LEON HENDERSON, Administrator.

[P. R. Dac. 43-531; Filed, January 12, 1943; 10:12 a. m.]

[Order 69 Under RPS 64]

DORTCH STOVE WORKS APPROVAL OF MAXIMUM PRICE

Order No. 60 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 17, 1942, the Dortch Stove Works, Franklin, Tennessee, filed an application pursuant to § 1356.1 (d) of Reviced Price Schedule No. 64 for approval of a maximum price for a coal and wood range designated in the application as Model 100V.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is hereby ordered:

(a) Dortch Stove Works may sell, offer to sell, transfer or deliver its Model 100V coal and wood range at a price not to exceed \$35.00 f. o. b. factory to dealers, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable

Model 3342 as established under Revised Price Schedule No. 64.

(b) This Order No. 60 may be revoked or amended by the Price Administrator

at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 60 shall become effective on the 13th day of January

1943.

Issued this 12th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-582; Filed, January 12, 1943; 10:11 a. m.]

[Suspension Order 191] / HERBERT J. SCHWARTZ

ORDER RESTRICTING TRANSACTIONS

Herbert J. Schwartz, 37 West Atlantic Avenue, Laurel Springs, New Jersey, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing on the charges was held on October 27, 1942, in Camden, New Jersey. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations in that on or about September 11, 1942, respondent purchased and accepted transfer of eight (8) gasoline ration coupons, Class C, from another

person.

Violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of the gasoline rationing regulations and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, It is therefore ordered:

(b) The gasoline rations heretofore

(b) The gasoline rations heretofore issued to respondent by the Office of Price Administration are hereby revoked.

(c) Respondent shall forthwith surrender for cancellation to the War Price and Rationing Board which issued the same all gasoline coupon books and coupons in his possession, *Provided*, *however*, That the Board may issue to respondent such gasoline ration as the Board shall determine respondent is entitled to under Ration Order No. 5C for his essential driving to and from work essential to the war effort.

(d) Any terms used in this Suspension Order No. 191 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein

given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 2877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121).)

Issued and effective this 12th day of January 1943.

PAUL M. O'LEARY, Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-572; Filed, January 12, 1943; 10:11 a. m.]

[Suspension Order 192] F. C. CARTER

ORDER RESTRICTING TRANSACTIONS

F. C. Carter, 24 Whiteford Avenue, N. E., Atlanta, Georgia, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on November 16, 1942, in Atlanta, Georgia. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy'Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations in that on August 29, 1942, in Atlanta, Georgia, respondent received the transfer of sixteen (16) Class "S" gasoline ration coupons and transferred twelve (12) of them to James Rowe.

Because of the great scarcity and critical importance of gasoline in the Georgia area, violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of Ration Order No. 5A, and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, It is therefore ordered:

(b) That respondent shall not have the right to acquire or use gasoline during the period from the effective date of this order to 12:01 a. m. January 22, 1943, and the ration heretofore issued to respondent is revoked and suspended accordingly.

(c) Respondent on or before January 18, 1943, shall surrender to the War Price and Rationing Board that issued them all gasoline ration coupon books and coupons in his possession. Said Board shall detach therefrom the following coupons and cancel the same: All Class A, No. 3 coupons.

(d) Respondent's gasoline coupon book Class A, shall be returned to him on January 22, 1942.

(e) Any terms used in this order which are defined in Ration Order No. 5A, Gas-

oline Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong.; and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 (7 F.R. 562); Supplementary Directive No. 167 (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121).)

Issued and effective this 12th day of January 1943.

PAUL M. O'LEARY, Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-573; Filed, January 12, 1943; 10:13 a. m.]

[Suspension Order 193]
JAMES ROWE

ORDER RESTRICTING TRANSACTIONS

James Rowe, 136 Wesley Street, Atlanta, Georgia, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on November 16, 1942, in Atlanta, Georgia. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been con-. sidered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations in that on August 29, 1942, in Atlanta, Georgia, respondent received the transfer of twelve (12) Class "S" gasoline ration coupons from F. C. Carter and on or about August 15, 1942, in Atlanta, Georgia, respondent received the transfer of a Class "A" gasoline ration book issued to Sylvanus Smith.

Because of the great scarcity and critical importance of gasoline in the Georgia area, violations of Ration Order No. 5A, Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of Ration Order No. 5A, and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, It is therefore ordered:

(b) That respondent shall not have the right to acquire or use gasoline during the period from the effective date of this order to 12:01 a. m. January 22, 1943, and the ration heretofore issued to respondent is revoked and suspended accordingly.

(c) Respondent on or before January 18, 1943, shall surrender to the War Price and Rationing Board that issued them all gasoline ration coupon books and coupons in his possession. Said Board shall detach therefrom the following coupons and cancel the same: All Class A, No. 3 coupons.

(d) Respondent's gasoline coupon book Class A, shall be returned to him

on January 22, 1942.

(e) Any terms used in this order which are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued and effective the 12th day of January, 1943.

> PAUL M. O'LEARY, Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-574; Filed, January 12, 1943; 10:12 a. m.]

[Suspension Order 194] ALBERT CILIAGLIA

ORDER RESTRICTING TRANSACTIONS

Albert Cimaglia, 6701 Roberts Avenue, Dundalk, Maryland, hereinafter called respondent, was duly served with a notice of specific charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing was held on October 30, 1942, in Baltimore, Maryland. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been considered by the Deputy Administrator in Charge of Rationing, it is hereby determined that:

(a) Respondent has violated Ration Order No. 5A, Gasoline Rationing Regulations, in that on or about July 20, 1942, respondent received the transfer of a gasoline ration coupon book, Class A,

from another person.

Violations of Ration Order No. 5A. Gasoline Rationing Regulations, by respondent have interfered with the administration and enforcement of the gasoline rationing regulations and hampered the war effort of the United States. It appears to the Deputy Administrator in Charge of Rationing that further violations by respondent are likely unless appropriate administrative action is taken, It is therefore ordered:

(b) That respondent shall not have the right to acquire or use gasoline during the period from the effective date of this Order to 12:01 A. M. March 22, 1943, and the ration heretofore issued to respondent is revoked and suspended ac-

cordingly.

(c) Respondent on or before January 18, 1943, shall surrender to the War Price and Rationing Board that issued them all gasoline ration coupon books and coupons in his possession. Said Board shall detach therefrom the following coupons and cancel the same:

All Class A, No. 3 coupons, all Class A, No. 4 coupons.

(d) Respondent's gasoline coupon book Class A, shall be returned to him on March 22, 1942.

(e) Any terms used in this order which are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 17 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1Q (7 F.R. 9121))

Issued and effective this 12th day of January, 1943.

PAUL M. O'LEARY, Deputy Administrator in Charge of Rationing.

[F. R. Doc. 43-575; Filed, January 12, 1943; 10:12 a. m.]

WAR PRODUCTION BOARD.

[Certificate 27]

TAINK CARS

The Attorney General: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress, I enclose Transportation Request No. 1 of the Director General for Operations of the War Production Board relating to tank cars, which I have approved.

After consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Transportation Request is requisite to the prosecution of the war.

> DONALD M. NELSON. Chairman.

January 9, 1943.

[F. R. Doc. 43-594; Filed, January 12, 1943; 12:10 p. m.]

[Transportation Request 1]

TAUK CARS

PURCHASE, SALES, ENCHANGES AND COMMON TISE OF FACILITIES

The diversion for war of a large part of the American and foreign registry tanker fleet, the loss through enemy action of other vessels of that fleet, and the increasing requirements for certain materials transported in tank cars to the war effort, has resulted in an acute shortage of tank cars and other tankage facilities. In order to minimize this shortage, it is necessary to increase and supplement means of overland transportation of these materials and to obtain the maximum efficient use of the available supply of tank cars and other tankage facilities.

Now, therefore, pursuant to Certificate No. 27 of the Chairman of the War Production Board to the Attorney General of the United States, under section

12 of Public Law No. 603, approved June 11, 1942, it is hereby requested that:

Purchase, sales, exchanges, and com-mon use of facilities. All persons engaged in producing, transporting or distributing the materials listed on Schedule X annexed (herein referred to as Schedule X) shall make such purchases, sales, exchanges, or loans of Schedule K materials, and shall arrange for such common use of tank cars and other tankage facilities as may be required in order to attain the most efficient utilization thereof. All such purchases, sales, exchanges or loans, and arrangements for common use of tank cars and tankage facilities shall remain subject to review and adjustment by the Director General for Operations of the War Production Board to the end that no supplier or distributor or producer of any Schedule X material shall be deprived of an opportunity to share equitably in the available supply and use of tank cars and other tankage facilities.

Reports. All persons effecting purchases, sales, exchanges, or loans of products, or arrangements for joint use of tank cars or other tankage facilities as referred to herein shall promptly inform the Director General for Operations. War Production Board, Ref: Transportation Request No. 1.

Transportation Request No. 1 issued January 9, 1943.

> ERMEST KAMZLER. Director General for Operations.

SCHODULC X

1. Acetic acid. Ammonia colutions.

Aniline.

4. Butyl acatate.
5. Butyl alcohol.

G. Calcium chlorida.

7. Carbon tetrachlorido. 8 Caster ell.

9 Cauctie patach. 10. Cauctie sada.

11. Chloring.

12. Coal tars,

13. Corn oll.

14. Corn syrup (glussse). 15. Cottonseed oil.

16. Distillates and distillation residues of esal tars or colle oven crude light oils (including but not limited to phenol, creeol, xylanol, cresylic acid, creosote, benzol, toluol, xylol, solvent naptha).

17. Ethyl acetate.

18. Ethyl alcohol.

19. Formaldehyde. 20. Hydrcehloric acid. 21. Lard.

22. Linseed oil. 23. Methyl alcohol.

24. Mixed nitric and hydrochloric acids.

25 Molacces (cane, beet, hydrol-edible, black-strap, invert).

26. Nitrie acid.

27. Peanut oil.

23. Proprietary alcohol solvents.

23. Prophyl alcohol (normal and isa-).
29. Pyridine.

31. Road far and road oil.

62. Sidium cilicate.

C3. Solvents of petroleum origin.

34. Sayabcan oil. 35 Sulfuric acid.

39 Synthetic parnol. 37. Tallow (cdible and incdible).

23. Vegetable oil foots and fatty acids.

[F. R. Doc. 43-595; Filed, January 12, 1943; 12:10 p. m.]